

Crime-1935

Three In Montg. Death, Five Life Paterson Admits Need Of New Building But Says County Cannot Afford It

White Man Draws Chair; Negro Gets Same For Slaying In-Law

Juries in Circuit Court here this week gave three men the death penalty and sent five others to the penitentiary for life. County officials said that this record for punishment had not been equalled here in many years, at least not since the World War. It was the first time a white man had received the extreme penalty in Montgomery County in 10 years. After deliberating half the night and yesterday morning, a jury came in at noon with a verdict of death for Dick Hull, indicted on a statutory charge.

Another death sentence was read out in the courtroom Friday, the jury decreeing that Jimmie Stewart, Washington Park negro, must pay with his life for killing his mother-in-law last August. Earlier in the week William E. Bynum, negro convict at Kilby Prison, was sentenced to be electrocuted for slaying another prisoner.

The lifers include one white man and four negroes. James Andrews got life for robbing George Bibb Edmondson, young man of this city, about six weeks ago. Negroes sent up for life were William Burton, Joseph Stephens, John Fitzpatrick and Robert Wynn, all indicted for robbery.

These and several other defendants were tried since Tuesday morning with Judge Eugene W. Carter presiding in all but one or two cases. The judge will formally sentence the prisoners this morning and set the date of execution for Hull, Bynum, and Stewart. Appeals will probably be taken in some of the cases. It was reported yesterday at the courthouse that Hull, who came to Montgomery from Birmingham, will carry his fight to the higher courts.

In some of the robbery cases where life imprisonment was the punishment pronounced by the juries, Solicitor W. T. Seibels appealed fervently during his arguments for the death penalty. A term in the penitentiary for robbers and killers is a joke, the solicitor declared. He said three meals a day, a hot bath, a comfortable bed, baseball games, picture shows and other comforts and pleasures provided at Alabama's modern Kilby Prison are more than many of the prisoners get on the outside.

In one of his speeches to a jury, the solicitor paid his respects to what he termed the "silly sob sisters" who don't believe in capital punishment. "That's a lot of bunk," Solicitor Seibels said.

The jury in whose hands rested the fate of Dick Hull refused to be put to bed Thursday night until it had attempted for several hours to reach a verdict. The first ballot is reported to have been unanimous for conviction and on the second ballot 10 voted for death and two for life imprisonment. There was no change in the results of the balloting the rest of the night session. Resuming its deliberation yesterday morning, the jury still stood 10 to 2. Finally, Judge Carter was called and some of the evidence of the case was read to the 12 men. They also asked the court if a white man had ever received the death penalty in Alabama for a crime similar to the one charged against Hull. The court declined to answer this question. Balloting was then resumed and a few hours later the verdict was ready.

According to Sheriff Haygood Paterson and his deputies, the Stewart negro shot his mother-in-law three times one night while at her house on Glass Street. He escaped and was arrested several months later by railroad agents in a box car. The negro is said to have hoboed his way back to Montgomery when caught.

For months he foiled the police by dressing in women's clothes. On one occasion the officers got a hot tip that Stewart was at a certain house. Surrounding the place for what looked like a sure arrest, the negro is said to have donned a dress and walked to freedom while the cops looked on.

Prison Inspector For Government Scores Jail Here

Federal Convicts May Be Transferred To Maxwell Field In Near Future

Renovation Asked

The need for a new jail in Montgomery yesterday was emphasized by J. A. Key, Federal prison and jail inspector, following an inspection of the Montgomery jail and a conference with Sheriff Haygood Paterson.

Inspector Key would not elaborate on his statement, explaining that his report on the Montgomery jail would be made to the prison inspection bureau and that such reports were confidential. The Montgomery jail, however, for some time has been regarded as obsolete, its equipment being such to make difficult full compliance with sanitary and safety regulations.

Some of the changes desired by the Government, all of which have previously been recommended by the State Prison Inspector, according to Sheriff Haygood Paterson are as follows:

Changes Proposed

1. Installation of new sanitary fixtures.
2. Installation of shower baths in lieu of present tubs.
3. Repainting inside with paint of light gray color.

"We realize that a new jail is needed," Sheriff Paterson said, "but the county can't afford to buy a new jail."

The recommendations which the Sheriff said the inspector had submitted to him yesterday had been taken up with the Board of Revenue some time ago, and an architect had drawn plans for improvement of the jail and facilities. However, the Sheriff said, the county's financial condition did not warrant such improvements.

The inspection was made after the Montgomery Board of Revenue, in compliance with terms of the Legislative act of 1932 had submitted to the government terms under which the county would continue to board Federal prisoners, according to Sheriff Paterson.

The terms require of the Government payment of 50 cents a day per prisoner for feeding prisoners, an additional 20 cents a day per prisoner for use of the jail, and the usual turnkey fee of \$1 upon entrance into the jail and \$1 upon the prisoner's release from the jail.

This is an increase in the amount formerly charged the Government, the Sheriff said. However the receipts from this source are negligible for the county, the Sheriff said, since most jail sentences of the U. S. District Court are now made for the Federal prison at Maxwell Field. The principal income from the Government now is for prisoners unable to make bond and awaiting trial.

Buttermilk And Bread

The cost of food for prisoners, the Sheriff said, is now 20 cents a day but this does not take into consideration the cost of preparation and other services. Prisoners receive three meals a day, the Sheriff said, two hearty meals—with buttermilk and bread for supper constituting the third meal.

"Prisoners who don't have anything to do but sit and think don't require as much food as persons on the outside," the Sheriff said.

Whether the Government will meet the terms of the Board of Revenue's proposed contract, or whether all Government prisoners will be sent to Maxwell Field instead of the Montgomery jail in the future depends upon the recommendations the Federal Prison Inspection Bureau finally submits to the courts.

Carter Sentences 12 To Penitentiary

Sixty prisoners have received sentences so far during the Fall term of the criminal docket in Circuit Court of Montgomery, it was announced Saturday by John R. Matthews, clerk. Judge Eugene W. Carter passed sentences yesterday on 12 prisoners.

Of the 60 sent on, 45 received penitentiary and 15 hard labor sentences. Fully one-half the total number pleaded guilty, while the others were convicted by juries.

Leonard Posey, negro, found guilty of grand larceny and receiving stolen property, did not leave with the other prisoners for Kilby Prison following the sentences, but remained behind in hope of getting a new trial. His attorney, Thomas E. Martin, filed motion for a new trial and Judge Carter set it down for hearing on Dec. 9. Sentence in the case was deferred until after the hearing.

Those who received sentences follow:

Gene Still, grand larceny, four to five years; Emanuel Taylor, grand larceny, four to five years; John H. Tisdale, grand larceny, three to four years; Joe Thomas, petit larceny, six months and 42 days hard labor; Loveless Smith, forgery, 24 to 30 months; Reuben Willis, burglary and grand larceny, two to three years; Emile Love, burglary and grand larceny, three to four years; James Nichols, burglary and grand larceny, two to three years; Lilly Mae Wright, grand larceny, three to four years; Willie Thomas, petit larceny, six months and 33 days hard labor, and three to four years in the penitentiary for grand larceny; Tom Tolver, removing mortgaged property, two to three years.

NEGRO IS HELD FOR RESISTING ARREST

Liquor Chase Ended After Suspect Is Wounded
1-7-35

A Negro, charged by police with resisting arrest and trying to wreck their auto when they sought to seize him on a liquor charge, was lodged in Southside Jail today after a bullet wound in his left arm had been treated at Hillmar Hospital.

The Negro, who gave his name as Gus Turner, 22, of 2927 Highland-av, also is charged with violating liquor laws. Officers P. E. Jenkins and J. L. Powell said they sighted the Negro's car at Graymont-av and First-st, w, and gave chase when they suspected it contained liquor.

Turner, they said, refused to stop and tried to force their car to the curb. After a chase of several blocks, Officer Jenkins fired twice, puncturing a rear tire and hitting the hood of the fleeing auto.

The Negro then stopped his car, jumped out and ran under a house where he was caught by Officer Jenkins. A companion fled.

NEGRO SOUGHT FOR WOUNDING OFFICER

Policeman Is Shot On Raid For Red Literature

Police today sought Steve Simmons, suspected Negro Communist, for investigation in the shooting last night of Police Officer T. E. Lindsay.

Officer Lindsay was wounded in the right arm by six shotgun pellets. His condition is not serious.

Officers Lindsay and A. J. Bryant went to Simmons' home in Riggins Quarters, beyond North Birmingham, to search for Communist literature. They found the front gate locked and nailed. Officer Lindsay went to the rear gate and called for admittance. A shotgun volley answered him, striking him in the right arm and side.

Detectives H. C. Propst and O. F. Osborne were assigned to the case.

NEGROES RELIEF RUSE LANDS THEM IN JAIL

Pair Are Accused Of Tampering With Mails

Two Negroes who executed a simple scheme in order to get food orders from the Department of Public Welfare were held under \$15000 bond each today by U. S. Commissioner Louise O. Charlton.

The Negroes, Carter Howard and Mose Williams, both of Powderly, were charged with representing themselves as two other Negroes who were on the relief rolls, getting the other pair's mail at the Powderly rural box and using the food certificates sent out by the welfare department.

The Negro was arrested by three city officers, one of whom admitted at preliminary hearing that the Negro had been taken to the City Hall basement and whipped to force him to reveal where merchandise taken from the store had been hidden.

NEGRO BEATEN IN RAID ON HOME

BIRMINGHAM, ALA - (CNA) Forced by the mass pressure of Negro and white workers here, two city policemen, T. E. Lindsey and A. J. Bryant were reported suspended indefinitely from the police force for "conduct unbecoming officers".

The suspension follows the officers' unwarranted invasion of the home of Steve Simmons, a worker, last week. The officers were operating illegally and outside their rightful territory. These suspensions are the first actions the workers have forced the city officials to take against the terroristic activities of the police in the North Birmingham area.

Steve Simmons' home has been raided three times during the past two months. During the first raid, Simmons was brutally whipped. Upon the second invasion Simmons fired a gun and frightened the terrorists away.

North Birmingham is part of the Republic Steel Corporations realm, but the militancy of the workers in this section remains firm despite the efforts of the corporation to terrorize them into submissive acceptance of lowered living standards.

9-Juror Verdicts Urged For State

Committee Graves Named To Study Legal Reform Hands In Its Findings

Instead of 12 in all cases tried before a defendant has entered a plea of guilty, except in those where the death penalty is imposed; and provision that in all criminal cases the State and the defendant have an equal number of challenges, are among the outstanding recommendations made in a report submitted yesterday to Governor Graves, by the special committee appointed by him some time ago to investigate and report on methods of facilitating the trial of cases in all the courts of the State, especially with reference to criminal procedure.

Twenty-five recommendations were made in all, including proposals that a new State code be compiled and codified.

"Alabama has an abundance, if not a superfluous number of trial judges," the report continues, "the courts are in term all the year, except a few days in June and December, and needless delays are due to those charged with enforcement of the law rather than to defects in the law. As long as the jury system prevails an upright and fearless jury, in the end, is the most important factor in the enforcement of the law. The appointing power cannot be too careful in selecting the jury commission for the respective counties, and said commission should exercise a wise discretion in selecting the names of qualified citizens to go in the jury box."

Of all laws, State or municipal, it is stated, the highway laws and regulations are constantly, daily and hourly ignored, and the toll resulting from neglect and recklessness in handling motor vehicles "is greater than war, pestilence and famine." It is then recommended that the legislature strengthen Alabama's highway laws and make them more drastic; and trial courts and municipalities are urged to enforce rigidly the law in every case of violation "so as to teach the public that these laws exist and not wait to arrest these law-breakers until someone has been killed or injured."

The special committee, headed by Chief Justice John C. Anderson, of the Alabama Supreme Court, as chairman, is composed in addition of Presiding Judge Charles R. Bricken, of the Court of Appeals of Alabama, vice-chairman; Attorney General-elect A. A. Carmichael, secretary; Judge Ben F. Elmore, Demopolis; Judge J. Russell McElroy, Birmingham; Travis Williams, Russellville; John D. Denson, Opelika; Richard T. Rives, Montgomery, and A. R. Powell, of Andalusia.

Recommendations

Following is the complete list of recommendations made by the committee to the governor-elect for his information and use, so that he may include any or all of them he may see fit, in his forthcoming message to the legislature:

1. That in all causes tried before juries nine men bring in the verdict instead of twelve except where the death penalty is imposed.
2. That proper facilities be provided for the scientific examination of poisons, blood-stains and other materials whenever such examination is relevant to the issue in any criminal case.
3. That Section 6435 of the Code of Alabama, 1923, (relating to "Refusal to sign bill; establishment of an appellate court") be repealed.
4. That the Supreme Court of Alabama be given the authority to prescribe rules of practice and procedure corresponding to that given the United States Supreme Court by subsections a, b, and c of Section 723, Title 28 of the United States Code Annotated.
5. That a new code for the State

Too Many Judges

of Alabama be compiled and codified, interrogatories in both civil and equity

6. That after a plea of guilty has been entered, a defendant shall not be entitled to an appeal, unless the punishment exceeds that prescribed by law.

7. That any defendant, whether indicted or not, may be allowed to plead guilty before a court, and to commence his sentence without awaiting a trial by jury or a disposition of his case at a term of court.

8. That circuit solicitors in Alabama be paid adequate compensation and be not allowed to practice law other than the discharge of their official duties.

9. That the statutes of the Code of Alabama relating to taking depositions of witnesses be rewritten to the end that uncertainties and ambiguities may be eliminated.

10. Upon motion being made to the reasonable satisfaction of the trial judge that a person who has appealed from a conviction of a felon is without, and cannot obtain the means to pay for, a stenographic transcript of the testimony, the trial judge shall order the court reporter to furnish such transcript without charge.

11. That the time of taking appeal generally in Alabama be reduced to ninety days.

12. That Section 3241 of the Code of Alabama of 1923, relative to: "In case of felony, judgment rendered and execution suspended pending appeal; bail on appeal," be so amended as to work the following change: The words "ten years" in said section be changed to "five years," in other words, if the sentence is for a term of not exceeding five years (changed from ten to five) the judge may direct the clerk of the court in which the conviction is had to admit the defendant to bail in a sum to be fixed by the judge with sufficient surety.

13. That solicitors be authorized to institute prosecutions in all cases of misdemeanors by information as well as indictments.

14. We recommend that the trial judges be given the discretion to place a limit on the number of written instructions that he will consider on behalf of either party to any cause.

15. That it be made a misdemeanor in this State for any State, county or municipal officer, or employee of either, to accept directly or indirectly, any fee or other compensation or expense money for any service or recommendation in the obtaining of any pardon or parole.

16. That the time for tendering bills of exceptions be limited to 60 days and that the time for consideration by the judge limited to 30 days, and that the time shall not be extended.

17. That the minimum punishment for conviction of perjury be reduced to one year.

18. That only two continuances of a motion for a new trial be allowed and that each continuance be for a period of not longer than 30 days, and must be decided within 10 days after submission.

19. That in criminal cases an appeal will waive the right to plead former jeopardy in the event of a reversal and a new trial.

20. That the time for answering in-

Reforming Alabama's Penal System

Public opinion in Alabama is strongly in favor of reforming the state's penal system only by the governor, and then only on the recommendation of a majority of the Board of Parole and Pardons herein provided for.

The governor may grant reprieves and commutations in death sentences with or without recommendation of the Board of Parole and Pardons.

The chief effect of this amendment would be to place the responsibility for paroling prisoners in the newly-created board, which, under the proposed enabling act, would be authorized to employ probation-parole officers who would be charged with the duties of making investigations of cases and supervising prisoners released on probation or parole.

That is to say, the proposed amendment and legislation contemplate a scientific system of supervised probation and parole, under the direction of a non-political board.

Proper investigation and supervision are, of course, the prime essentials of a successful system of probation and parole.

Such a system would relieve the state's prisons of many offenders deserving of probation or parole, thus reducing prison congestion and the expense of maintaining convicts, and at the same time vastly improve the possibilities of their reclamation as useful citizens.

The adoption of this system would mark a very great advance in penal methods in Alabama. Since our prison system is already exemplary, in some respects, the addition of scientific probation and parole methods would place Alabama in a high position among the states having progressive and enlightened penal policies.

The people of Alabama should have an early opportunity to vote on this amendment, or a similar one. In the meantime,

the careful attention of both the Graves administration and the new Legislature. Mr. Feagin's excellent report of some weeks ago on probation, parole and pardon was followed, just a few days before the end of the Miller administration, by a special report in which he presented a draft of the constitutional amendment and the legislation necessary to carry out his proposals for a

scientific system of probation and parole. There is another prison reform which by all means should be made as soon as possible; that is the abolition of the outrageous convict fee system, which is chiefly responsible for Alabama's having the largest prison population, proportionately, of any state. It was "submitted to and approved by the leading probation and parole officers of the United States government, and the shown, has the effect of encouraging probation and parole officers of several states to dump many prisoners on the state, simply for the fees involved. In no other state, it is said, does such a condition exist. For a long time, a strong body of public opinion in Alabama has been urging abolition of the convict fee system. The present Legislature should act promptly to end it. By abolishing the convict fee arrangement and adopting the proposed plan of supervised probation and parole, Alabama can re-make its penal system one of the best in the United States. And these reforms, incidentally, by reducing our excessively large prison population, should help materially in meeting the difficulties imposed by the Hawes-Cooper act of Congress prohibiting the shipment of prison-made goods in interstate commerce, since there likely would be less production by prison industries, and consequently less trouble in disposing of the products.

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The text of the proposed constitutional amendment is as follows:

"The governor shall have power, after conviction, to grant reprieves, commutations

of sentences and full pardons, except in cases of impeachment. The power to remit fines and forfeitures, and after conviction to grant temporary and conditional paroles, shall re-

make its penal system one of the best in the side in a non-political Board of Parole and Pardons. Such board shall consist of three

members to be appointed by the governor, with the approval of the Senate. Their term of office, duties and compensation shall be fixed by statute. A full pardon with restoration of civil and political rights may be given

only by the governor, and then only on the recommendation of a majority of the Board of Parole and Pardons herein provided for.

The governor may grant reprieves and commutations in death sentences with or without recommendation of the Board of Parole and Pardons.

The chief effect of this amendment would be to place the responsibility for paroling prisoners in the newly-created board, which, under the proposed enabling act, would be authorized to employ probation-parole officers who would be charged with the duties of making investigations of cases and supervising prisoners released on probation or parole.

That is to say, the proposed amendment and legislation contemplate a scientific system of supervised probation and parole, under the direction of a non-political board.

Proper investigation and supervision are, of course, the prime essentials of a successful system of probation and parole.

Such a system would relieve the state's prisons of many offenders deserving of probation or parole, thus reducing prison congestion and the expense of maintaining convicts, and at the same time vastly improve the possibilities of their reclamation as useful citizens.

The adoption of this system would mark a very great advance in penal methods in Alabama. Since our prison system is already exemplary, in some respects, the addition of scientific probation and parole methods would place Alabama in a high position among the states having progressive and enlightened penal policies.

The people of Alabama should have an early opportunity to vote on this amendment, or a similar one. In the meantime,

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Negro Surrenders As Frame-Up Arson Charges Are Made

BIRMINGHAM, May 22.—An attempt to frame S. T. Stargell, Negro worker, for arson in connection with the burning of the home of his former employer, Arthur Rich, a Jefferson county farmer, was answered by Stargell himself, who walked into the Jefferson county sheriff's office and said he heard he was wanted for questioning.

Stargell left the employ of Rich Saturday, May 11. He had worked for the farmer for about three months for nothing but food and old clothes. After leaving Rich's farm, he went up the Warrior River fishing. Rich's house caught fire early the following Tuesday. Stargell told how he had traveled under difficult conditions to get to Birmingham when he heard he was wanted for questioning.

Meanwhile, wild stories are being given credence and probably have been instigated by the police. These include such tales as Stargell's having asked three persons for a gun with which to shoot Rich and "threatening to get Rich with an axe." Four persons were burned in the fire—Rich, his two children and mother-in-law all died. Mrs. Rich survived. Stargell, despite his obvious innocence, is being held in the county jail "for investigation."

OFFICER SHOT IN GUN FIGHT WITH NEGROES

Birmingham Post-Herald
L. & N. Special Agent
Gravely Wounded In
Clash With Pair
Birmingham, Ala.
TWO SUSPECTS ARE HELD

Policeman's Companion
Escapes Injury In
Morning Battle

Shot four times in a gun battle with two Negroes early this morning Horace Sims, 33, special agent for the Louisville and Nashville Railroad, was in critical condition at St. Vincent's Hospital today, while one of his alleged assailants lay less seriously wounded in Hillman Hospital.

The second suspect, Marshall Dozier, Negro coal miner, was arrested at his home near New Castle shortly before noon and placed in County Jail.

Both Dozier and the wounded Negro, D. Davis, also a miner, were to be charged with assault with intent to murder, R. C. Goad, head of the L. & N. Police Department said. Both Negroes, Mr. Goad said, admitted being at the scene of the battle but denied any part in the shooting.

A search of the two suspects' homes in the New Castle coal mining community failed to disclose any firearms, Mr. Goad said.

The shooting occurred at about 11 a.m. in a railroad yard near New Castle, in northeast Jefferson County, where Mr. Sims was on duty.

According to F. M. Sims, brother of the wounded officer, the Negroes opened fire on Agent Sims and his companion, K. A. Pettiford, when the officers attempted to arrest them for looting a box car.

All four men were engaged in the shooting that ensued, the brother said. Mr. Pettiford was

not wounded.

The wounded Negro was brought to Hillman Hospital several hours after the shooting. He was wounded in the right arm and both thighs. He was captured after his wounds had forced him to send for a physician.

Mr. Sims was shot once in the back, once in the chest, once in the stomach and once in the shoulder, according to his brother.

Oak Grove Resident

The wounded man lives at Oak Grove, six miles southwest of Birmingham. He is married and the father of two children, Horace Jr. and Jennie Belle Sims.

The shooting occurred at a point between Black Creek and New Castle, both coal mining communities. Mr. Pettiford, the wounded agent's companion, lives at 4403 Ave. R. Central Park.

NEGRO SAYS HE WAS WHIPPED BY POLICE

Charges Officers Strapped Him To Get Confession

Sylvester Holmes, Negro, charged today that he was beaten by Birmingham police in an effort to extract a confession that he robbed a grocery store.

Holmes made the charges through his attorney, Roderick Beddow, Chief of Police Luther Hollums said his department does not permit third-degree methods and that he will conduct an investigation if formal charges are preferred.

Detective F. S. Salser swore out a warrant charging the Negro with robbing an A. and P. store at 731 15th-st., s., on Jan. 17.

The Negro's back shows heavy scars, which he says resulted from a beating given him at police headquarters by three officers who took turns at wielding a strap.

Police Brutality

Brutal third degree police methods such as the beating of prisoners to force admissions or confessions of guilt are condemned by decent society.

The people of Birmingham, we believe, will not tolerate on their police force either subordinates or executives who participate in or permit such conduct as the beating of a Negro recently in the basement of the City Hall.

Brutality is necessary neither for the protection of society nor enforcement of

the law.

Since one officer admitted in court that he applied the lash and since his testimony involved two fellow officers, officials of the department cannot overlook the event or pass the incident with the statement that the department is opposed to such methods.

We have capable, courteous and courageous officers in the department, but baseless beatings and questionable conduct on the part of a few place the whole department under a shadow.

In the interest of police efficiency and the future of the department the Grand Jury when it looks into the beating in question would do well to investigate thoroughly the whole Police Department and the system under which it operates.

Political maneuvering, petty spites and jealousies have hampered efficiency and are responsible for much of the unrest which has existed in the department since Commissioner Downs took charge. We despair of removing politics from the Police Department but we had hoped that Mr. Downs would bend his efforts in that direction. The Grand Jury could help him if it would rise to the occasion and approach the problem on a coldly scientific basis.

White Bootlegger Blamed For Negro Church Fights

Sheriff Haygood Paterson said yesterday that much of the recent disorder at negro churches in this county was caused by white men who took whisky to the meetings. He said he had seen whites picking cotton for them, the whites, according to the sheriff, have away a considerable amount of liquor. Other men frequenting the negro gatherings are said to have gone there for bootlegging.

Two arrests for such trespassing were made recently and the sheriff warned that others will follow if whites continue to be the instigators of fighting among negroes.

GRAND JURY TO INVESTIGATE UNMERCIFUL BEATING OF NEGRO BY TOUGH ALABAMA OFFICERS

STRUCK AT LEAST 25 TIMES ON BACK WITH HEAVY STRAP AND PAINTED WITH IODINE

State's Foremost Criminal Lawyer Retained In Case

BIRMINGHAM, Ala., Feb. 7.—(ANP)—Local police who have been using their time running down so-called Reds and snooping around in the backyards of Negro homes for liquor, came in for another blast last week, this time from Roderick Beddow, the state's most foremost criminal lawyer.

Beddow had been retained as associate counsel in the N. A. A. C. P. lineup to defend the Scottsboro boys before the split with the International Labor Defense occurred. After he was employed as a special prosecutor in the case of Willie Peterson, now serving a life sentence for an alleged murder. At his first trial, the jury disagreed. In the second trial, he was prosecuted by Beddow because, according to report, the victim's family wished to save its face.

Beddow, who is national president of the Lions clubs, came into the limelight against last week, when he appeared in Judge Abernethy's court and charged that three Birmingham policemen had been unmercifully whipped Sylvester Holmes, charged by the police with having robbed an Atlantic and Pacific Tea store.

The police, stated Beddow, took him unmercifully with a leather strap, three feet long, four inches wide and one-fourth of an inch thick. With blood streaming from his back, Holmes was then transferred to the Southside jail where his body was painted with iodine.

Beddow also brought before Judge Abernethy, U. S. District Court, one of the policemen involved, and confessed that he was one of the officers of the law who applied the lash in order to force Holmes to tell where he had had a sack of flour which Holmes claimed he had not taken. Dixon, admitted that he struck Holmes across the back 12

18 Plead Guilty In Circuit Court

Eighteen prisoners were arraigned in Circuit Court yesterday before Judge Eugene W. Carter and pleaded guilty to indictments returned last week by the Grand Jury. Judge Carter imposed sentences ranging from 15 months to four years. The prisoners were sent to Kilby said.

Prison yesterday afternoon. Two white men and 16 negroes were in the group. George Edwards, charged with burglary and grand larceny, was sentenced to an indeterminate term of 18 to 24 months. Bill Gilliam, burglary, got two years to two years and six months. The following negroes drew terms:

Clinton Blanton, grand larceny, two and one-half to three years; James Dennis, assault to murder, two to two and one-half years; Willie Cook, grand larceny, two to two and one-half years; Edgar Evans, burglary, two and a half to three years; Robert Evans, burglary, three to three and a half years; Josephine Hudson, grand larceny, 15 to 21 months; Eugene Jackson, burglary and grand larceny, four to four and a half years; Robert Jones and Cleve Carter, grand larceny and receiving stolen property, two to two and a half years; John Henry Robinson, grand larceny, two to two and a half years; Charlie Williams, burglary, two to two and a half years; Wiley Hopkins, burglary, four to four and a half years; Johnny Williams, burglary and grand larceny, three and a half to four years; Lonnie Williams and Garfield Benson, burglary and grand larceny, two to two and a half years; Mary Williams, burglary and larceny, 18 to 24 months.

Only cases appealed from the recorder's court were retried yesterday. The following negroes were fined by the judge: Paul Bryant, carrying a concealed pistol, \$100 and shooting within the city limits, \$25; Nathan Brooks, assault and battery, \$20; Frank Bristol, petit larceny, \$25; Hop Hill, violating the prohibition laws, \$50, and Handy Smith, reckless driving, \$50. Willie Brown was found not guilty of collision and Pinky Hall was acquitted of disorderly conduct.

Trial of State cases will start this morning.

NEGRO INTRUDER IS ROUTED BY WOMEN

Assailant Invades Home In
West End Last Night

An unidentified Negro early today terrorized three West End women. The Negro entered the home of Mrs. Lucile Jones, 512 Sixth-st. sw, choked her and grappled with her daughter after stealing about \$2.00 and two books of car tickets, and escaped before police arrived.

Mrs. Jones said she awakened when the Negro sat on the side of her bed. When she called to her daughter, Mary Nettie, 20, and a roomer—Miss Christine Otwell, 20—both of whom were sleeping in the same room, she said the Negro tried to choke

Seeing the girls had awakened, the Negro released his grip, and Mrs. Jones said she switched on the light. The intruder then grabbed her by the shoulders and shook her, she said.

Counterfeit Nest Broken Up Here

Police And Federal Men
Trap Negroes 'Minting'

Half-Dollars In Shanty

Seven persons including five negroes, were arrested yesterday by city detectives as alleged counterfeiters following a raid far out on North Decatur Street where some of the suspects are reported to have been caught in the act of molding bogus half dollars. Held by police on a blanket charge of suspicious, the prisoners were turned over later to Federal agents and will probably be given a preliminary hearing today.

Roy Shield and Jimmie Cushion, who came to Montgomery from Gadsden, were the white men caught in the counterfeit drag net. Neither Shields nor Cushion was in the negro house where the crude coins were being turned out and both denied to detectives having any connection with the counterfeit racket here. The detectives, however, charged that these men were the "brains" of the ring.

While additional names were not disclosed, it was understood the officers are looking for other white men. All but Cushion, the last of the suspects arrested, were caught at or near the house where the molding device was set up. City Detective Chancellor said, Cushion was arrested at a boarding house on Catoma Street. Chancellor said the man left North Montgomery Monday night. Shields, with his wife and two children, was living in a house a few yards from the negro shanty, according to the officers.

The negroes, Daniel Russell, Robert Stinson, Henry Ross, Mattie Haynes, and Flora Smiley, were taken into custody early yesterday morning. Ross is said to have been the occupant of the house where the fake coins were being made. Detective Chancellor said that a counterfeit half dollar was in the mold at the time of the raid. A few others had just been turned out and the detectives recovered seven of the spurious half-dollars. It is understood the alleged counterfeiters had been turning out 25-cent imitations, although none was found.

Although complaints had been made for several weeks to Federal and city authorities of bogus coins, no large

number of them are believed to have been put into circulation in the city. The banks have discovered few if any such counterfeit pieces, but reports have been made to these institutions that fake half-dollars were flooding some sections of the State. Except for the seven half-dollar imitations found in the negro's house during the raid, the police have located but one other, it was announced. A merchant turned that in.

According to Detectives Chancellor and Dannison, the counterfeiting device was crude and the fake coins easily detected. The officers said the discovery that led to the raid and arrests was made Monday afternoon by a rural family who had received some of the Montgomery-made coins in payment for chickens, eggs and other produce.

The detectives said Shields and Cushion had been seen frequently with the negroes and that the white men had been hauling their negro confederates around in their automobile.

Graves Commutes Negro's Sentence

The death sentence of Willie Winton, Walker County negro, whose execution for the killing of two white men had been set for Friday, April 19, was commuted by Gov. Graves yesterday afternoon to life imprisonment. His action was recommended by Atty. Gen. Albert A. Carmichael and Secretary of State Howell Turner, composing a majority of the State Board of Pardons. Judge Charles E. McCall, State auditor, the third member of the board, declined to recommend clemency.

Following hearing of Winton's petition for commutation, Secretary of State Turner recommended that it be granted, but Atty. Gen. Carmichael and Judge McCall opposed it. On the eve of the late originally set for the execution of the condemned man, March 22, Gov. Graves granted him a reprieve of 30 days so that he could give further study to the evidence in the case. On further consideration of the record, the Attorney General changed his unfavorable recommendation to a favorable one.

Winton was convicted of shooting and mortally wounding Buck Guthrie and Travis Benton, after he had been stopped on a public highway by the two men who demanded that he dance for them. At his hearing, he claimed the men threatened him; that he was frightened and that he fired the fatal shots in self defense though he never intended to kill any one.

Fights Leave 10 Negroes Wounded

Difficulties among negroes in the city and county Saturday and yesterday resulted in at least 10 of them being wounded, some seriously.

During a disturbance yesterday at a church near Hope Hull two negro men, Cliff Fuller and Leon Jenkins, were shot and badly wounded. They were brought to a Montgomery hospital. Several others were believed to have received minor injuries. Deputies said the disturbance was caused by an intoxicated negro.

Edward Bruce, Chisholm negro, was reported to have been shot and critically wounded by Sullivan Vandiver, also a negro. The latter, a former convict, was arrested.

David Calhoun, Macedonia negro, was being held at the county jail for stabbing a negro girl near his home. Deputies did not learn the girl's name or the extent of her wounds.

Rosa Scrum, negro woman whose home is in the rear of 111 South Perry Street, was stabbed. Annie Lee Robinson and Ellen Bryson, negro women, were arrested in connection with the stabbing and charged with assault to murder.

Negro Admits He Forged AAA Check

Last Christmas Eve, M. C. Busby, negro farmer of Chambers County, received a benefit payment check from the Agricultural Adjustment Administration in the amount of \$24.

But the check was made out jointly to himself and Mrs. Zora Stephenson. So Busby "jest signed" Mrs. Stephenson's name to the check, got the money and spent all of it. Yesterday an agent of the Department of Justice brought Busby to Montgomery before the United States Commissioner and charged Busby with forgery.

Busby pleaded guilty and his bond was set at \$300.

Asked why he forged Mrs. Stephenson's name Busby replied:

"Boss, it was Christmas time, dat's all."

Officer Battles Negro For Gun

Furious Struggle Follows
Capture Of Big Stills In
Crenshaw County Wilds

A desperate struggle between a negro and an officer of the Bureau of Internal Revenue for possession of the officer's revolver in Crenshaw County early yesterday ended with the capture of the negro with two bullet wounds in the thigh. The officer was severely bruised during the scuffle.

The scene of the battle was about two miles east of Pinola where E. W. Myrick, chief investigator of the alcoholic unit of the Bureau of Internal Revenue for the Montgomery district and other agents, sought to arrest three negroes, who, it was alleged were about to put into operation two 600-gallon stills.

The negroes ran in varying directions when "flushed" by the officers. Officer Myrick intercepted the flight of Ralph Fielder, a large negro who weighs about 250 pounds. Officer Myrick said the negro surrendered meekly enough until he reached for the handcuffs. At that moment, the negro rushed him, struggled to get his revolver, he said.

They clinched, fell to the ground, rolled down a steep incline. The negro, Officer Myrick said, was holding the barrel and end of the stock of the revolver while he held the revolver about the middle. While rolling over, he said, the revolver was discharged several times and when the tumbling ceased Officer Myrick said he found himself in a ditch with the negro on top of him.

The negro fled and was immediately captured by Officer Peek, who was rushing to Myrick's aid. He was brought to the Montgomery jail, where it was reported the wounds were only "flesh" wounds, one shot taking effect in the thigh near the hip and the other near the knee.

The negro gave his address as Gadsden and officers suspect that he is wanted for crime elsewhere and that this led to his desperate effort to escape. Another negro, Bob Lee Cobb, of Atlanta, also was captured at the still, but a third negro escaped.

Lash Death Of Convict Probed

LITTLE ROCK, ARK., May 13—(P)—
Dr. Lawson C. Aday, coroner, announced today that he has started an investigation of a death at the Pulaski County Farm alleged to have resulted from use of the lash. 5-14-35

The announcement followed appointment of R. L. Farris, paid guard, as assistant superintendent of the penitentiary succeeding Jess Miles. Miles tendered his resignation to county Judge Cook following an investigation of alleged whippings at the farm instituted by county officials as result of the shooting to death of Lester D. Stroud, a prisoner.

Dr. Aday said the new investigation is being made into the circumstances surrounding the death of James Mayo, elderly negro. He said the death had not been reported to him previously.

Mayo died two days after receiving a whipping. Coroner Aday said, adding that prison officials told him they did not believe the punishment had anything to do with the negro's death. Miles and Charles Morgan, a paid guard, were subpoenaed by the coroner to testify regarding the whipping. Dr. Aday said he had learned Mayo, serving a sentence for drunkenness, was whipped when he was alleged to have refused to work.

PROBE USE OF LASH AT PULASKI FARM

Death of Negro Brings New Inquiry
5-14-35

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ported to him previously.

Aiding in the probe are County Judge Cook, Ross L. Lander of the quorum court, and Fred A. Donham, prosecuting attorney. The officials questioned prisoners about the activities of a "kangaroo court" maintained on the farm by the inmates.

Mayo died two days after receiving a whipping. Coroner Aday said, adding that prison officials told him they did not believe the punishment had anything to do with the negro's death. Miles and Charles Morgan, the coroner to testify regarding the whipping. Dr. Aday said he had learned Mayo, serving a sentence for drunkenness, was whipped when he was alleged to have refused to work.

Otis Page, farm superintendent, was quoted as saying Miles had given the negro five strokes with a lash three or four days before he died. He said he and two paid guards witnessed the punishment.

Negro Given 8 Years For Stealing 8 Hens

CONWAY, ARK., July 18.—(P)—Circuit Judge William J. Waggoner fits punishment to the crime.

Albert Mitchell, negro, pleaded guilty to a charge of stealing chickens in Faulkner County court today.

"How many chickens did you steal?" the judge asked.

"Ah jest stole eight, jedge," Albert replied.

"Then I will give you one year for each chicken and sentence you to eight years in the penitentiary," Judge Waggoner decreed.

Crime - 1935

California.

COALINGA, CALIF.

DAILY RECORD

MAY 29 1935

FIREWORKS IN CRIME

A threatened lynching, a row between a sheriff and a district attorney, and loss of \$30,000 worth of property by fire constitute a pretty large helping of grief all in one dish.

Yet the touching of a match to a lumber company plan near Martinez by a youth who "just liked to see things burn" stirred up this mess of trouble the other day, and it may work out that he was doing California a favor after all.

That is because the fuss has focused attention on the problem of incendiarism and the need for strengthening arson laws in this state.

What happened at Brentwood was that 150 indignant citizens attracted by the factory blaze threatened to string the guilty youth up, a sheriff whisked him away to Martinez, and then got into a war of words with the district attorney over whether the youth should be questioned immediately or permitted to rest until morning.

How this individual case will work out is of little consequence. But it does bring to the fore an issue which must be faced and settled if the state is to reduce the utterly needless waste of approximately \$500,000 annually.

An incendiarist may be a pyromaniac simply obsessed with a desire to burn things, or he may be a thief who sets fire in order to loot during the confusion. The tendency of the law at present is to proceed under the presumption that offenders are probably pyromaniacs until proved otherwise.

The fault with this is obvious, since the thief who sets fires for purely predatory purposes can hire a clever lawyer and, with a bit of acting, get off scot free almost any time.

The laws must be tightened. After all, a murderer may also plead insanity, but evidence must be conclusive before he is judged demented. And not infrequently an arsonist is guilty of murder. Sometimes a sleeping occupant of the building he sets fire to is not aroused in time.

NEGROES, WHITES CRIMINALS IN EQUAL NUMBER

2-9-35

Police Inspector Declares Both Races Commit

Crimes Here
Washington

Although 60 per cent of the total number of felonies committed in the District of Columbia during the fiscal year ending last June 30, were committed by Negroes the number of white persons arrested on minor charges so far overshadows this difference between the two races that Inspector L. I. H. Edwards, assistant superintendent of Metropolitan Police was prompted to admit that white people are engaged in crime to the same degree as are Negroes.

This admission was drawn from the inspector by Representative Jennings Randolph, of West Virginia, chairman of the subcommittee investigating local crime conditions for the House of Representatives Monday. Inspector Edwards was on the stand testifying behind Major Ernest W. Brown who relinquished the witness chair Friday.

Inspector Gives Figures

Figures offered by Inspector W. S. Burke, chief of detectives, when he took the stand on Tuesday corroborated Inspector Edwards' testimony. His chart showed that of the 4,919 felonies committed in Washington, 3,185 were Negroes and 1,734 by white.

His statistics on other arrests, however, showed approximate four-and-a-half times as many to have been committed by white persons than colored. There were 36,642 apprehensions for misdemeanors and violations of municipal regulations among white people and 3,903 among the other group, a difference of 27,739.

Crime - 1935

Delaware

WILMINGTON, DEL.
Journal-Every Evening

NOV 20 1935
"Brutes"

TO THE EDITOR: If the Wilmington people let these two Negro brutes get away, after beating a member of the police force, who was performing his duty, then we should hang our heads in shame and let every other city laugh at us. * * *

Let's all get together and see that justice is done and let's teach others to respect a uniform which is our bodyguard. * * *

Boiling for Justice

TALLAHASSEE, FLA.
DEMOCRAT

FEB 10 1935

A Rank Injustice

A negro rooming house in "Black Bottom" was defrauded of room rent of approximately \$9 by a negro, John Mobley, so the proprietor swore in a warrant issued by A. D. Torreyson, justice of the peace. Mobley was located in Belle Glade, Fla., and Constable E. A. Kirkland returned him here to answer the charge.

In his cost bills for the month of January read at the county commission meeting Monday afternoon, the constable submitted one for this arrest totaling \$68, which is to be paid by the taxpayers of Sarasota county. Of this \$68 the transportation charges amount to \$63, the constable claiming \$21 for going to Belle Glade and \$42 for the return trip with the prisoner. This is exclusive of the costs of the justice of the peace. Mobley is doing 60 days at the county stockade and during these sixty days he must be fed at the expense of the taxpayers.

This seems to be the height of an outrage—the taxpayers of the county having to foot a bill of such large proportions to help a negro rooming house proprietor to get even with a negro defrauding him.

If the rooming house proprietor wanted his ruffled feelings abated he should have been made to pay the expense of returning Mobley to Sarasota. The justice of the peace and the constable who helped saddle this expense upon the taxpayers have done the taxpayers an unpardonable injustice. They should have insisted that the rooming house proprietor pay the costs.—Sarasota Herald.

Sarasota, Fla., Herald
June 27, 1935

CUTTING CRIME COSTS

A negro has been convicted of first degree murder for the death of James Urquhart, aged and respectable negro of the Newtown section who was brutally hacked to death on the night of February 11. The jury recommended mercy, and life imprisonment is mandatory.

Thus Sarasota county sends out additional notice to those who would commit a heinous crime that the guilty will not go unpunished.

With no clue whatever to work on following the killing, Sheriff Pearson and his deputies, particularly his chief deputy, E. A. Garner, had a difficult tangle to unravel. A negro and his wife were beaten to death with an axe, and to make it more confounding there were no fingerprints on the axe or the portion of the handle found in the room with Urquhart's body. The axe handle had broken in three pieces.

The officers, however, were not remiss in their duties. They plugged diligently. They did not want it said that this brutal murder would go unsolved. Eventually slender clues were picked up here and there and pieced together. Then finally the murderer (now convicted) talked. He talked to another negro in the jail telling him that he had killed Urquhart and his wife. The sheriff was notified.

Then the case was turned over to State Attorney Henry L. Williford and he vigorously prosecuted the negro in court, offering what spectators say was an unmistakable case of guilt. That there was no doubt in the minds of the 12 jurors that Morgan, the convicted slayer, was guilty, is indicated in the short time the jury deliberated the case.

Swift punishment such as meted in this case will help to allay crime in this county. When the courts and juries act and punish the guilty, the taxpayers who foot the crime bills will find the cost materially reduced.

URBAN LEAGUE WEEKLY BULLETIN

By JESSE O. THOMAS.

Atlanta's homicide record for the past 12 months would indicate that crime is on the increase—that the value of human life is at the decrease.

According to the Atlanta Daily World, there were 142 homicides among negroes alone during 1934. This is an average of one fatality in every two and one-half days. Already during the month of January there have been four negroes killed in Atlanta. That is keeping up the average of 1934.

Where life becomes cheap and the crime rate is high, people are discouraged from moving into such communities. Investors hesitate to loan money or otherwise invest their savings.

There may be many reasons offered for the explanation of this abnormality in the crime rate among both white and colored people. One of the reasons advanced by the standard with which negroes take each other's lives is attributable to the difference in the estimate that the courts place upon the value of a negro's life as against the lives of other people. It is claimed that if a white person or negro kills a negro, he will receive quite a different sentence from that he would receive if he killed a white person. Granting this is true, it still remains that our crime rate is too high—human life is too cheap.

In recognition of this fact, we understand that the chief of police and the police commission are planning to augment the police force by putting on 100 plainclothes detectives, whose salaries will be subsidized by the federal government. As I understand it, these people will be taken off relief and assigned to detective duties as a work project.

In all cities where negro policemen and plainclothes detectives are employed, the crime rate among negroes has been materially reduced and the percentage of negro criminals apprehended has been greatly increased. Since negroes represent such a large percentage of the murders in Atlanta and since the number of negroes unemployed and on relief represent a larger percentage of their population than any other race element in the community, and in consideration of the fact that negro peace officers have in other cities contributed so much in the way of crime reduction and criminal apprehension, if a plainclothes detective squad is to be taken from relief rolls, it would seem logical and justifiable to include some negroes in that group. To those who feel that this would be establishing a precedent for this area, we might add that there are negro policemen and plainclothes detectives in Louisville, Ky.; Knoxville, Tenn.; Tampa, Fla.; Galveston, San Antonio, Houston, Austin and Fort Worth, Texas, and many other small towns in Texas; Tulsa, Oklahoma City and Muskogee, Okla. It will therefore be seen that geography is not a factor here.

I believe we have as justice-loving white citizens in Atlanta as there are in these other cities where negro policemen are employed. The reason, therefore, for negroes not being employed in Atlanta, undoubtedly, is a question of getting this matter squarely before an open-minded element of those in control of our city government.

White Press Overrates Crimes of Colored, Temple Prof. Tells Forum

PHILADELPHIA.—That a careful six-year study of colored news in Philadelphia white dailies shows an indifferent attitude on the race problem and an overrating of crime, Dr. W. C. Simpson, of the department of sociology, told the City-Wide Young People's Forum, Sunday evening. Speaking in "The Attitude of the Daily Press Toward Colored People," the Temple professor stated that his study, which covered Philadelphia papers from 1908 to 1932, showed that three-fourths of all news stories about colored people carried were of criminal or sensational type and that about one-fourth could be placed in the constructive or educational category.

Crime Overrated

As an example of the manner in which crime news is treated, Dr. Simpson stated that while the Philadelphia colored people furnished but fourteen per cent of the larceny, robbery and burglary commissions, they furnished forty-seven per cent of this type of news for the papers.

The colored people committed less than one per cent of the murders, but they were given ten per cent of the murder news space in the daily press of this city, Dr. Simpson declared.

He stated that his study, which devoted six years of research to the subject, brought him to the conclusion that the white press as well as white readers display an indifferent attitude toward the race problem and that as a whole there is no serious effort on the part of the white press to sway public opinion on racial policies.

Studies Colored Papers

Dr. Simpson is making a study of the effect of colored newspapers on white public opinion. The AFRO-AMERICAN is one of the papers being used in the study.

He told a reporter.

Forum is launching a campaign to secure the employment of colored youth in the public library system of Philadelphia.

Mrs. Madelene Rainey is heading the committee on this project.

Professor Joseph Hill of Lincoln University will be the speaker at next Sunday's forum, which is held at the Y.W.C.A. at 6:30 p.m. He will talk on the Little Theatre movement.

PRESS

MAR 9 1935

Our Murder Record

Louis L. Dublin and Bessie Bunzel, in the March *Survey Graphic*, have performed a useful service in bringing together in comprehensive form the major facts that are statistically known or ascertainable about the American homicide record. As even the casually informed know, that record is a shameful one. The victims of homicide in the United States number annually over 11,000 persons, 9.2 out of every 100,000 of population. This rate in recent years has been more than three times that in Italy, which has the highest rate in Europe, eighteen times that of England, and twenty-nine times that of The Netherlands. The United States, moreover, is the only important country which shows more homicides in recent years than prior to the World War.

The exact causes of our shocking record are not easy to determine. The authors dispose of a few facile popular explanations. There is a connection between crime and poverty; but why should this particular crime be so much greater here than in other countries, which enjoy fewer material advantages than we do? When our bad record is ascribed to the lawlessness characteristic of a pioneer country, again the explanation does not tell us why recently settled countries, such as Australia and New Zealand, have rates respectively one-fifth and one-tenth of ours.

It has long been known that in spite of the undeserved fame of Chicago our highest murder rate has been in the South. The New England States have the best record, with a rate of 2.0. In

Florida the rate reaches 26.4. In 1933 the dishonor of the highest rate for any city—59.5—fell to Lexington, Ky. These geographical discrepancies are in large part explained by the high homicide rate among Negroes. In the United States, as a whole, during the five-year period 1926-30, the authors point out, more than eight times as many Negro as white males were slain per unit of population and almost seven times as many Negro as white women. To what extent was this due to the killing of Negroes by other Negroes and to what extent by the killing of white men? The authors are silent on this point, perhaps because they have no information on it. But they do point out that the highest Negro homicide rates are found, not in the South, but in the Middle West, with Missouri, Illinois, Ohio and Michigan the chief offenders.

One conclusion on which the authors are emphatic is that the sale of firearms must be restricted. About two-thirds of American deaths from homicide are due to the use of firearms. In England and Wales in 1932 only 13 per cent were caused by firearms, and in Germany, prior to the present regime, about 27 per cent.

AND THEY CALL IT AN ENLIGHTENED AGE

Two Southern States, North Carolina and Texas, are investigating alleged abuses in prisons and prison camps. One result of the inquiry in North Carolina is the publication of a punishment order directed to the superintendent of a prison camp. The penalty decreed to fit the crime defined as "not working and cursing foreman," was "solitary confinement seven to twelve days, handcuffed standing to bars eight to ten hours daily from three to five days." To this was added: "Give the attention necessary for the protection of the prisoners' health."

"A paradox, a paradox, a most ingenious paradox." Brutality masquerades as humanity. In this case, the two Negroes who spent eight or ten weary hours day after day shackled to the bars of their prison lost their feet, which were amputated because gangrene attacked them. Now there is controversy over the question whether the gangrene was the direct result of standing on the cold concrete of the prison in January weather or was caused by erysipelas. If caused by erysipelas it is held by accused officials that there is no evidence of failure to "give the attention necessary for the protection of the prisoners' health." There may be here a nice distinction according to prison-camp reasoning, or, perchance, another most ingenious paradox, but the two Negroes probably do not appreciate it. They remain deprived of their feet.

Such is one of the depressing tales in the news of the day in this land of supposed enlightenment. There is, however, the encouraging aspect of the case found in the determination shown to permit the fierce white light of publicity to shine upon the prison camps, and, as abuses are revealed, to take steps to remedy them.

SAVANNAH, GA. NEWS

SOUTH'S HOMICIDE RATE HIGHEST

The homicide rate in the South is almost twice the rate for the whole country, 8.8 per 100,000, according to reports of a survey conducted by Dr. Louis I. Dublin, statistician of the Metropolitan Life Insurance Company, who with Bessie Bunsel presents the figures in the March issue of the Survey Graphic. New England has the lowest record, 2.0. Among individual states the rate was: Vermont, 1.3; Maine, New Hampshire and Massachusetts, under 2 per 100,000; Florida, 26.4, the highest rate in the country; Mississippi and Alabama, more than 20 per 100,000, and Georgia and Louisiana, "not far below that mark."

The report shows that among cities, Lexington, Ky., headed the list with a figure of 59.5 per 100,000 population. Little Rock, Memphis and Birmingham all had rates of more than 50. Atlanta, Macon, Savannah, Ga., all had rates of more than 40, as did Jacksonville, Fla., and Montgomery, Ala. "The largest cities, commonly considered the most murderous," the article says, "had rates about a fourth or even a fifth those in many Southern towns."

The statements contained in the report offer food for serious reflection, especially in the South. Among the means for coping with homicide recommended in the article are prohibition of the sale of firearms and elimination of environmental factors that encourage crime. The latter recommendation, we believe, offers the better course of procedure. Closer surveillance of areas where crime flourishes and killings are numerous seems to offer the more logical method of meeting the problem.

According to the report, more than 11,000 persons annually are the victims of homicide in the United States. The authors of the article, entitled "Thou Shalt Not Kill," say the homicide rate of 9.2 for 100,000 of population is "the most acute symptom of a deeply-rooted national lawlessness which reflects our historical backgrounds, racial mixtures, industrial conflicts, limited educational system and many other factors in social organization."

The authors of the article, according to the New York Times, state that "In the United States as a whole during the five-year period, 1926-1930, more than eight times as many negro as white males were slain per unit of population and almost seven times as many negro as white women. There has been a decided migration of negroes into the original registration states

(New England, New York, New Jersey, Michigan, Indiana and the District of Columbia) since the World War." The article continues: "In 1920 the standardized rate for white males was 7.4 per 100,000 and in 1930 it was 7.7. The rate for white females also changed very little. Among negro males, however, the rate rose from 43.5 in 1920 to 58.9 in 1930, the highest point, 67, being reached in 1926. Among negro women the rate rose from 10.3 to 14.6 during the same years."

LOUISVILLE, KY.

HERALD POST

JUN 10 1935

DON'T LAUGH.

CHARLES JACKSON, Negro, was given a sentence of 21 years. He will serve his term at Eddyville. It was a \$4 affair. Five years for each dollar's worth of property.

About the same time, Dr. Guy E. Brewer, a white man, Oklahoma physician, pleading guilty to six charges of manslaughter growing out of illegal operations on women, was sentenced to four years in prison on each charge, "the sentences to run concurrently."

Four dollars, 21 years. Six deaths, four years. There is probably a mathematical equation which determines the ratio.

The Herald-Post is not concerned as to that. It balances the Oklahoma sentence against that at Princeton, Ky., and presents the problem to lovers of justice and fair play. It makes no comment on the singular disproportion and invites no angry reaction. The figures speak for themselves.

Six deaths, four years.

Four dollars, 21 years.

All of us, white and black, are citizens with the same inborn rights to life, liberty and the pursuit of happiness.

Don't laugh.

THE WHITE CITIZENS' REAL PROBLEM

The most hardened individuals must shudder with horror as they read accounts of the father and son involved in the cold murder of a total stranger a few days ago, for a mere \$12,500. And then turning the pages of the same paper, read of the gangster syndicate in Rhode Island that concocted the idea of placing the feet of their victim in liquid cement, letting it harden and then throwing the person overboard.

These if you please are some of the off-shoots of a civilization that sets materialism above character and human understanding. All of these fiends were in quest of the almighty dollar and seemingly they would stop at nothing to reach their objective. And to think that some simple souls would plead for the abolishing of capital punishment. What would they do with such mentally diseased persons that roam our city streets and highways awaiting a chance to strike under cover of darkness? Who can handle such a mind and is it not far better to quietly take them from a society in which they do not fit?

We are not prone to making claims for the innate characteristics of any race but we thank God that the American Negro

has shown little or no inclination toward the practise of such criminality as is continually showing up in our daily papers. There is most assuredly something invigorating and stimulating about being closer to nature, for seemingly it does not carry with it the fiendish development that some of our white brothers manifest. We sometimes wonder if this sordidness upon his part is not an indication of being supersaturated with the follies of a highly developed civilization?

Of one thing we are quite sure and that is, it may be old fashioned and simple to cling to the spirit and doctrines of Jesus but we would rather die damned by the world as a fool, than imbibe the treachery, licentiousness and perversion of some of our white brothers. Let the Negro keep forever singing his spirituals if it is going to keep the finer things uppermost in his heart. He may lack the material thing we call Gold and he may not be able to strut about with false pomp, but he will ever avoid selling his very soul for these transient features.

The white man in America had better direct his efforts toward an inventory of his moral fibre. He had better give a little more consideration to the philosophic and spiritual things of life ere it is too late. Nothing can tear a nation asunder more readily and more surely than the deterioration of its morals.

Atlanta, Ga. Constitution

August 14, 1935

Atrocities

On U. S. Soil.

It is doubtful that the nazis in their concentration camps can have out-awfulled the atrocities which occurred in the turpentine camps and on the peon farms a few years ago or the cases of the negro prisoners last winter. The negroes, it may be recalled, were locked up in a bar shack in cold weather, frozen, lost their feet and were finally held to blame on the ground that they had wrapped their legs in spiral puttees which stopped their circulation.

There is much home-work to be done before the United States will be qualified to act as critic-in-chief of the world in general but the mother-in-law instinct is strong and a country which has done none too good a job of

raising her own brats cannot refrain from her friendly duty of reporting the neighbors' kids for tin-canning the dog or smoking cubebs out behind the barn.

5-11-35

Crime-1935.

General.

Says Statistics Hide Truth About Race Crime

Writer Contends Race Isn't So Criminal As Figures Would Indicate

By ENOC P. WATERS, Jr.

WE may be a little thinskin about the subject, but for several years we worked in the South. We attended school in the South. We made a rather extensive tour of the South, and everywhere we heard the same thing. Even here we've heard it and that's why we have taken our pen in hand—albeit a little indignantly—to give a few of our thoughts on the subject.

The subject is—lest in our haste we forget to mention it—assuming a man steals \$50 or \$50,000,000 it's that you'd know what it is that's grand larceny. We're eating us up—Crime and the heat of passion. Negroes, Black Degeneracy, or volder, shoots another, killing him Dark Degeneracy or any of the instantly, or devises some diabolical other titles under which they list, lingering torture, ending in the killings and malefactions of death, it's murder.

Every time we have seen statistics purporting to give the criminal ratio of the two races in a given area, it seems the Negroes have been far in advance of their white neighbors.

They always do more stealing; they always do more killing; they always have more unmarried mothers; they always break more traffic regulations; they always do more of everything that is considered wrong and as a logical result more of them are arrested than whites.

All We Have Is A Belief

Now we're no sociologist; we haven't studied criminology; we have no bewildering barrage of statistics; we have nothing but a firm belief that black folks aren't quite so bad as the findings would indicate.

No, we're not denying that Negroes find their way to the jails and penal institutions of the land—especially in the South—than the other Americans even though the homicide rate among Negroes is supposed to be disproportionately large, it is not uncommon for one of the Race to plunge an icepick recting suspicion from themselves through the breast of his neighbor; and in other ways "beating" the brain; dash in the side of his head with an axe or even whip a longshoreman's hook into his temple.

Even though it would be consistent with the general American policy of making white pure, and black, vile to falsify these statistics—and we don't put it beyond some persons we have met—we choose to believe the figures as they stand.

Reduced to cold hard digits one

less murder—almost what you might call humane murder.

But we challenge you to cite in "Black Degeneracy" cases of emasculation of a rival in love; the slaying and dismemberment of a person for a pittance; the pulverizing of a murder victim in a meat grinder; or a thrill killing.

Of course this might be attributed to a lack of originality and inventiveness on part of the Negro who always accused of aping his superior white counterpart. It seems to us that every time it is indisputably proved that a novel idea germinated in the mind of a Negro someone comes forward to show that somewhere among his ancestors was a Nordic to whom the idea can be traced.

It has reached such a point with recent tables to show that Joe Louis is the combination of the American Indian and white that we suppose if a Negro were to commit some particularly revolting murder that a variation of their traditional role as lynchers. But the most horrible pages, someone would come forward with the claim that his grandfather's, sister's, mother's, step-sister was white and thereby transfer credit for the crime to the white race.

The Paradox Of Lynching

One of the things that has seemed to us a bit paradoxical is the brutal lynching of a man for an alleged vicious offense. It reminds us very much of a point brought out in the trial of a German obstetrical expert for humanely killing a mal-formed child at birth at the request of its mother who claimed she would rather see it dead than living under such a handicap.

Race Has Thieves

It was the contention of the state which demanded his death that in killing this baby he had wronged the state. The prosecutor thumbed the pages of history to show that many of the world's geni had been malformed and yet they had fertile minds from which they were able to make lasting and invaluable constructive contributions to world knowledge. He pointed out that it was possible that this child might have possessed just another such superior mentality.

In his rebuttal, the defense attorney argued that the state in putting to death his client would be committing the same crime charged him with, inasmuch as his mental capabilities had already been proved whereas those of the infant were but a hypothesis upon which the prosecutor based his argument.

We do not recall the outcome of the case, but the reason for telling the story is to show as we said before what appears to us as a paradox involved in all lynchings.

16 Lynchings In 9 Months

Invariably the instigation for a lynching is some offense usually described as revolting, horrible, bestial or fanatical by the lynchers.

We ask what can be more bestial of his body which have been cruelly hacked from him; or dragging his nude form through the principal streets of a settlement; or cutting up a body and distributing it among the mob for souvenirs.

As common as lynchings are—and there were 16 known lynchings during the first nine months of this year—how many have been committed by Negro mobs or mobs in which there were Negroes as active participants? To be sure Negroes Compare that case, which while it may not be typical is far from exceptional, with that of the bandit gang which raided a mail train in Chicago grossing \$2,000,000; or the hold-up squad which hauled down over a half million in cash from an armored truck in New York. Both figures which show the greater number of offenses committed under this classification as those of Negroes. Yet, as before, we are contenting that the more serious cases are those involving whites.

Moving on to larceny we are still admitting as evidence in this brief figures which show the greater number of offenses committed under this classification as those of Negroes. Yet, as before, we are contenting that the more serious cases are those involving whites.

It is something of a joke that Negroes have an irresistible yearning for the feathered inhabitants of the barnyard. Whether or not this is true, it is nevertheless indicative of the extent of the Negroes' ex-plot into larceny. It is seldom he steals more than the proverbial chicken or its cash equivalent.

O Yes, The

Race Has Thieves

Occasionally as in the case of the brother bankers in Washington, or the treasurer of a prominent Negro university, the sums stolen run into the thousands. But so rare is this among Negroes that when it does occur every Negro weekly in the country—and there are about 150 of them—carries the story in alarming headlines of "return-of-Christ" dimensions.

But it's hardly news for a white man to steal \$50,000. It happens so regularly that the press pays no particular attention to it any more, recording it in much the same manner as the United States treasury report which would be ignored altogether were it not for the great game of policy.

An example of stealing among Negroes is illustrated in an episode which was reported from Philadelphia several years ago. Two gentlemen of color, according to testi-

mony given in court, hired a wagon and horse and went from one to the other of a chain of restaurants collecting bales of waste under the guise of being duly appointed collectors for the firm. These they sold for a few dollars out of which they had to pay for their horse and wagon. They netted absolutely nothing on the deal counting in their labor at 35 cents an hour.

"They Were Fools,"

Says the Judge

The judge before whom they were tried gave them stiff sentences, explaining that he was doing it not because they were thieves but because they were fools. He pointed out to them that they could have made more money at some honest job without having to work as hard as they had and without assuming the risks they had.

Compare that case, which while it may not be typical is far from exceptional, with that of the bandit gang which raided a mail train in Chicago grossing \$2,000,000; or the hold-up squad which hauled down over a half million in cash from an armored truck in New York. Both figures which show the greater number of offenses committed under this classification as those of Negroes. Yet, as before, we are contenting that the more serious cases are those involving whites.

We Feel

Better Now

Here again the difference may be in the constitutional makeup of the darker brethren or their circumstances. It may be that they do not possess the daring and nerve to play for such high stakes. It may be that they are not placed in positions where it is possible for them to lay hands on such huge sums as white thieves claim annually. But regardless of what it is, the fact is the Negroes don't do it. We could stretch this thing out farther and give you much more to read. But the purpose of this outburst has been served. We've written enough to let off the excess steam which has gathered in our system over a period of several years during which we have attended and read of conferences called especially to uplift the "poor misguided Negro who has fallen into the slough of degredation" and must be pulled forthwith by his angelic white brother, who expresses awe at the failings of the "lowly black" as though he "never heard of such goings on before."

THE CRIME WAVE

Crime is on the upgrade as witness the following headlines gleaned from the front page of one edition of a daily newspaper this week:

"C. C. C. Camp Worker Slain and Body Swung to Tree and Burned."

"James Knox, Negro, Convicted of Assault and Highway Robbery and Sentenced to Eighteen Years."

"Police Expect Break in Brutal Slaying of Bride-Elect."

"Local Man Held in Extortionist Case in Norfolk, Va."

"Prosecutor Says Lynching of Two Negroes for Attack-Slaying of High School Honor Student Expresses Will of People."

"Two of gunmen of late Dutch Schultz, Underworld Lord. Missing and Believed Slain".

"Two Youths Go on Trial for Slaying of Woman in Florida".

"Young Woman Confesses Shooting Fiance to Death During Quarrell in Hotel Room."

"Witness Says Merchant Threatened Life of Officer Before Being Fatally Wounded."

"One Man Killed and Eight Wounded During Rioting."

"Automobile Thief Gets Prison Sentence and Fined \$5,000."

The above are but a few of the cases listed in the newspapers daily; scores of others, many occurring in rural sections among more obscure persons never reach the papers.

A glimpse at the daily news reports tell us crime is on the increase and that local, state and federal authorities will have to devise other means of dealing with an element which is menacing society.

The crime wave stands out as a challenge to society and those of constituted authority to combat crime, either through use of force in the field or the application of more restraint in the homes before the minds of children are warped by criminal desire.

DECREASING CRIME

A sharp decrease in practically all classifications of crime during the past three years is revealed in statistics made public by J. Edgar Hoover, director of the Federal Bureau of Investigation.

In the first six months of this year there were 686 murders as against 785 in the same period of 1933; 440 cases of manslaughter against 492 two years ago, 7,518

robberies against 9,440, 37,813 burglaries against 38,937 and 30,276 thefts of automobiles against 35,742. Only in larcenies, which there were 84,660 against 81,637, and criminal assault, with 787 against 662, were increases registered.

Thus in all the major classifications of crime—murder, robbery and burglary—substantial lessening of the danger to the life and prop-

erty of American citizens has taken place during the past 24 months. The subsidence of the crime wave that rolled over America for more than a decade is attributable to numerous sources, chief amongst which are the entry of federal agents into the war on criminals and racketeers, the repeal of national prohibition and the improvement of local law-enforcement methods.

By co-ordinating the efforts of all the police departments of the country, both local and state, the Department of Justice has revolutionized conditions formerly surrounding the attempts to capture fleeing criminals. With police officers restricted to their own localities, those who committed crime were generally able to escape in high-powered automobiles to other areas, where they would be, at least for a time, comparatively safe.

This condition was eliminated when the federal agent, able to follow his quarry to the four corners of the country if necessary, entered the picture. The result has been that one after another the long list of so-called public enemies has been cut down until there are a bare handful still to be tracked down. The repeal of the prohibition law struck a death blow at organized crime in the larger cities by eliminating the rich revenue from bootleg liquor being used to finance crimes of every type. When the pocketbooks of gangland's leaders began to flatten the end came to the era during which the overlords of crime terrorized the public, corrupted the courts and rendered the efforts of law-enforcement agencies impotent.

With the advent of federal agents into the field of local crime, the police methods of the country, even in most of the smaller cities, began to be revolutionized. Now the average police officer, formerly helpless either in battling or pursuing criminals armed with rapid-fire guns and traveling in high-powered automobiles, is able to cope with the most desperate and daring law-breakers.

Only a few states, of which Georgia is a glaring example, have failed to profit by the example set by other states and organized alert and well-equipped state police forces, being content instead to let most of their local law-enforcement bodies remain improperly trained and armed.

It is not surprising that major crime is on the increase in Georgia when it is decreasing in states that offer better protection to their citizens. Murder, highway robbery, burglary and other major crimes have become steadily more frequent because the lack of a state police force has made the highways of the state places of haven for fleeing criminals, and made law-breaking both safe and profitable.

The people of the state cannot expect greater safety for their persons and their property until policing in Georgia reaches a higher plane than that on which it is now based.

WINSTON SALEM, N. C.

JOURNAL

Where Crime Languishes

Only one murder has occurred in the city of Milwaukee, Wisconsin, up to now in 1935.

Milwaukee is a city of approximately 650,000 population.

The one murder recorded for that municipality during the past twelve months involved the death of a Negro whose wife threw kerosene on his bed and set it afire.

Unique is the word that fits the distinction claimed by Milwaukee among American cities. Many towns much smaller, including Winston-Salem, report more murders than the Wisconsin metropolis.

There must be reason for this extraordinary record. That reason is bound up partly in good law enforcement. Milwaukee has a police set-up that is remarkably free from political interference or control. But this is not all.

No law enforcement body can function with a maximum of efficiency unless it is vigorously backed up by public sentiment. Undoubtedly the citizens of this great city which is almost murder-free, have a higher regard for human life and a deeper respect for law and order than is prevalent in many communities.

This conclusion is reached because Milwaukee doesn't happen by mere chance to turn in a good murder report this year. For several years its record in relation to crime has been such as to attract nationwide attention.

Fear of Communism Haunts Southern Officials

By Sasha Small



How chain-gang prisoners are tortured in Georgia. This investigator, who posed in stocks at Stenewall, Ga., was barely able to stand after only five minutes in them. Prisoners are kept in them for hours.

Rev. Col. Gen.' John W. Hudson, Prosecutor in Herndon Case Interviewed by the Editor of the Labor Defender

[Editor's note:—This is the second of a series of articles by Sasha Small, editor of the Labor Defender, who after his trip to Georgia and Tennessee, Sasha Small visited chain-gang, interviewed important officials, saw the relatives of the Scottsboro boys

ATLANTA, Ga.—Just as they keep the spectre of the chain-gang haunting the black and white masses of the South, so the ruling class, and particularly its officials, are haunted by the spectre of Communism. They fear it to the point of madness. They see it lurking behind every building, around every corner.

Reverend-Colonel-Assistant-Solicitor-General John W. Hudson, the man who prosecuted Angelo Herndon and demanded the death penalty for him because he led a successful demonstration of white and Negro unemployed to ask for bread, is the hardest hit of all. The man is completely insane on the subject of Communism. I went to hear him preach at his Gordon Street Baptist Church, in the wealthier white neighborhood of Atlanta. The title of his sermon was "Tomorrow—A Message to the Young."

Demands Death from Pulpit

The Reverend Hudson's eyes, set close together in his long, emaciated face, are black and beady—snake eyes. He stares into space at he speaks, waving his long, gaunt arms around like a windmill. His text was based almost entirely upon the speech he made to the jury in the Herndon case, demanding the death penalty for this young "menace to law and order," in January, 1933. Judging by the reaction of his congregation, he has made exactly the same sermon ever since. The weary semblance of attention they gave him clearly indicated "We've heard all this before."

On a small table right below the pulpit, he has spread out an array of Communist literature—the Party Organizer, the Communist International, The Communist, the children's book, "Our Lenin," and stacks of pamphlets.

The sermon itself? It is impossible to record with any accuracy the ravings of a madman like Reverend Hudson. The sentences simply don't hang together. The words follow each other, but they don't make sense. His voice rises from a hoarse whisper to wild shouting.

Herndon's Prosecutor Raves

He began with a quotation from Isaiah. That was the only thing that sounded like a sermon. Then he began firing questions. "How can young people have a good time and still be decent? How can you go to college and still remain a good Christian?" From these questions he leaped to the demonstration at the liner Bremen in New York, where "Communists tore down the swastika flag, the flag of a sov-

eign nation," and flung it into the sea! "The Communists are plunging us into war!" This seemed to lead directly to the "seventh international-ee" which was sitting in Moscow at that very moment plotting against the State of Georgia and the whole world. From this flowed quotations from Bishop William Montgomery Brown—the same quotations which Hudson used to condemn Angelo Herndon to 18 to 20 years on the chain-gang, because a copy of the Bishop's "Communism and Christianity" had been found in his room.

A Maniac with Power

He read a passage which stated that the Old and New Testaments were filled with lies. He read it twice. Then he stopped dramatically and whispered: "You, young people, did you learn anything like that in your schools in Atlanta? Of course you didn't. But that's how these Communists are."

"They send tons and tons of this literature here to our city. I've written time and again to New York, to the Mayor and the Post Office officials there, asking them to stop it from the mails. But what do you think they answer? They say they can't stop it legally and they advise me to ignore it!" Here he roared the word "ignore" three or four times. After another half-hour of ranting and raving about what the Communists think of marriage, religion and private property, he was through.

And this man has in his hands the power to prosecute thousands of Negro people, workers black and white, and send them to the chain-gang, as he hopes to send Angelo Herndon.

Georgia Wants Herndon Back

His conversation with me was quite short. He was tired out by his performance. So I was from New York! Well, there was a delegation coming from New York to see the Governor, to ask him to abolish "our anti-Communist law we have down here."

"I didn't know that Georgia had an anti-Communist law," I offered. "Oh, yes, we have. And it's a good one. And we're going to keep it. They're going to ask him to free that nigger Angelo Herndon, too. They'll probably come to see me, too. He's out on bond now," he said with a sorrowful wag of his head, "but we'll get him back soon enough."

Three Old "Judges"

Next I went to visit the Prison Commission, composed of three old men. E. L. Rainey, G. A. Johns and V. L. Stanley. They call each

other "Judge." Every official in Georgia who hasn't any other title is called Judge.

First, they gave me their last printed biennial report covering the years 1933 and 1934. During these two years, 9,154 prisoners, convicted of felonies, served on the Georgia chain-gang. They do not record the additional thousands serving for misdemeanors. Of this number, only 554 men, 303 women and 52 tubercular patients served on the two State Prison farms. The rest worked in the chain-gangs on the highways. There are 130 such convict camps—all operated by the counties under the supervision of the Prison Commission with the exception of nine run directly by the State Highway Commission.

Profits from Prison Goods

One State Prison farm is at Milledgeville. The descriptions I got of it from men who had been there sounded like the stories of Charles Dickens about the paupers' prisons in England in the early years of the last century. Only the old and decrepit and sick are sent to the farms, those who are "no good" out on the roads. They are herded together into wooden barracks, and those who are not too feeble—25 per cent according to the officials' report—work out on the farm, or make auto license tags. The official report states that though "conditions are still somewhat crowded, the men are better satisfied, there is less trouble and fewer escapes."

Each prisoner produced goods to the value of \$79 monthly. They do not get a cent in pay. The Prison Commission thought I was crazy when I asked how much the prisoners got for their work. The total income from farm products produced by male prisoners for the year 1934 was \$51,378.93. The women produced \$20,242.27.

The production of auto license tags has been rationalized to the point where the State saves \$16,683 yearly on their manufacture. They cost exactly .0682 cents to produce. Neighboring States have to spend .1084, they proudly announce.

The ages of the prisoners range from 13 to 84, and the greatest number—830—are serving life sentences. The official figures state that during this period, 103 men died on the chain-gang and 872 "escaped." There are official individual reports on each of these cases, some of which they let me look at.

No Coroner's Inquest

There is an official death report

blank to be signed by the doctor. Unless a man dies under "unusual" circumstances, there is no coroner's inquest. The doctor's signature is sufficient! The 103 deaths for this period were entirely due to "natural causes," the commissioners informed me. They were more vague about the "escapes." They are supposed to receive full

Chain-Gang Rules Brutally Frank The rules that govern the Georgia chain-gang system are brutally "escaped" frank.

"Separation of races: "These buildings must be so constructed as to completely separate whites and Negroes. At least twice each year, unless painted, the buildings and stockades must be white-washed.

"Hours of Labor: The hours of labor shall be from sunrise to sunset; no convict shall be taken from camp until sunrise and all convicts shall be returned to camp at sunset.

"Duties of Wardens: They shall safely keep all prisoners committed to their custody and rigidly enforce discipline by the use of such humane modes of punishment as will best enforce submission to authority and compel and induce performance of good and faithful labor during work hours, such as solitary confinement, restriction of diet, restrictions of privilege of receiving visitors, and other privileges usually accorded first class prisoners; shall strictly enforce grade rules and good conduct; the use of shackles and striped clothing; fastening them in stocks in such a way as will restrict their movements for no longer than one hour at any one time.

"Guards shall not be permitted to strike a convict except to prevent escape, in his own defense, or in that of another," and as a last ironical gesture, "and in no case will he be permitted to curse a convict."

So much for the written reports rules and regulations. In the next article, I shall describe the attitude of the Prison Commission towards their work, towards their charges, towards Angelo Herndon and the chain-gangs as they really are.

ESCAPED CONVICT KILLED BY DEPUTY

Dead Negro Was Sought for Slaying of J. G. Odum at Adel

ADEL, Ga., Aug. 11.—(AP)—Sought for the slaying of J. G. Odum, 42, turpentine mill foreman, an escaped negro convicted as John Lewis was shot and killed tonight at LaConte, near here, by Deputy Sheriff J. B. W.

Officers said they found the man in a house and when he refused to show them a pistol he was armed with. Ward fired.

Odum was killed yesterday morning at a turpentine mill and immediate search for the negro was started. He had been serving a six months sentence for theft. Odum had been the prosecuting witness in the case.

Overpowering guard Arthur Willis last Tuesday the negro escaped from a Tift county gang after taking the guard's pistol, holster and belt and forcing another prisoner to accompany him on a county truck.

From the negro's body officers tonight took a pistol, holster and belt which they said belonged to guard Willis.

Sheriff Virgil Rooks, Deputy Ward and other officers were in the group which finally located the negro.

Police Get Hurry Call Fell Negro in Burglary

Radio Summons Patrol Car to O'Neal Home in Early Morning Hours; Culprit Is Wounded in Exchange of Bullets in College Street Section

A Negro who had robbed the nightwatchman at the home of B. P. O'Neal at 128 Bond street and attempted to enter the O'Neal home twice again.

The officer returned the fire and a fourth shot struck the Negro and he fell. As Officer McGahee straddled the prostrate Negro, Peek is said to have put his hand in his pocket to draw a knife. He had thrown the pistol aside.

The Negro, Willie Peek, was felled in the rear yard at the home of Mrs. O. A. Armstrong at 300 College street after he and Officer McGahee had exchanged several rounds of pistol fire, police said.

Officer McGahee's fourth shot struck Peek in the head after the Negro had fired four shots at the officer, the former reported. The Negro's condition was reported as "fair" last night at the Macon hospital.

Peek is charged with burglary, carrying a pistol concealed and without a license, shooting at another, shooting in the city and assault with intent to murder. He is a 29-year-old railway employe living at 122 Bostic's lane.

The elderly nightwatchman, J. G. Dugger, was sitting in a small house in rear of the O'Neal home when the Negro slipped up behind him and put a knife to his throat, Officer McGahee said.

Dugger demanded entrance to home. From the watchman he took a .32 caliber pistol, a knife, a flashlight, a watch and \$13 cash. He then went to the rear door at the O'Neal home and told Cora Searcy, Negro maid living in the house, to open the door.

She refused, it was said, and went to call officers. Frightened at mention of officers the Negro fled from the O'Neal back yard.

Officers McGahee and M. F. Bul-lard, cruising in a radio car on Madison street, received the radio call and sped to Bond street. Just as they crossed College street on Bond they saw a Negro hurrying along the sidewalk.

"I'll bet that's the Negro," Officer McGahee said and they stopped and commanded Peek to halt.

He ran, officers said, and Mr. McGahee jumped from the police car and gave chase.

Negro Opens Fire
The Negro ran across the lawn at Mrs. Armstrong's home and, when he reached the front steps at the home, turned and fired two shots at

der was named. Many face several charges.

All of the accused are youthful with the oldest being around 21 and with several being so young that it will be necessary to turn them over to juvenile court authorities, officers said. All were jailed, but some of the youngest have been released in custody of their parents.

The arrests were made by George Dixon, Negro helper in the sheriff's office, after he had begun an investigation of the theft of a one-gallon bucket of lard from a car in the railroad yards. As each new suspect talked, the ring grew wider and more were jailed. T. J. McCom-mon, jailer, and other officers assisted in questioning the suspects.

Officers said most had confessed, and had implicated the two or three who still maintain their innocence.

Offenders Are Listed

Warrants were issued yesterday afternoon in the following cases: Arelious Bivins and Willie Callahan, burglary of a Swift Packing Company railroad car in the rear of the plant Oct. 13, one side of meat missing.

Bivins, Lonnie Lattimore and Ben-nie Davis, larceny of a pair of shoes from a car parked in the rear of Dannenberg's and larceny of a pair of shoes from a truck on Mulberry street, date undetermined; larceny of 10 packages of lard and one case of butter from a car at Swift's Creamery Oct. 15.

R. D. Harkless and Bivins, larceny of candy from the McKesson-to the juvenile detention home on a Riley loading platform Oct. 5; charge of suspicion of burglary. George Daniels, larceny of candy from Jake's potato chip truck in the rear of Silver's Oct. 12.

Sausage Theft Revealed

Daniels, Harkless and Bivins, larceny of one case of butter and one case of sausage from an Armour truck in the rear of Silver's Oct. 17; Harkless, Daniels and Junior Cochran, burglary of a railroad car rear of the Swift Packing Company, Oct. 13, with no goods being taken.

Rubin Lamar, Willie Leek, Idus Cox, Willie James Robinson, alias Roberts, larceny of five boxes of tobacco from a Southern railroad car in the yards here Oct. 26.

Cox and M. W. Glover, larceny of one package of tobacco from King-man and Everett, Inc., Oct. 5; Harkless and Daniels, larceny of candy from the Liberty Candy Company, Oct. 12.

Other Burglaries Solved

Lamar, Willie James Freeman and Willie Thomas, larceny of 50 cartons of cigarettes from a Southern railroad platform Sept. 30; Leek, Emmitt Dell and Curtis Jones, burglary of the Macon Cigar and Tobacco Company, where 20 cartons of cigarettes were taken on Oct. 11.

Lamar and Freeman, larceny of one case of candy from Dean's grocery truck at Mulberry and Fifth, date unknown; Harkless, Daniels and Richard Benton, burglary of Lyster's store at Main and Short streets, East Macon, Oct. 13. Groceries and tobaccos valued at \$5 were taken.

The accused young Negroes are the second group to be arrested by county officers recently in connection

with a wave of petty burglary and larceny cases here.

GA. CHAIN GANG ESCAPE IS NOW N. Y.'S PROBLEM

BUFFALO, N. Y., Nov. 18.—(AP) New York state is going to feed a Georgia chain gang fugitive for the next five years at Attica state prison, chiefly because Georgia refused to extradite him.

He is Ham McClure, also known as Alex Clark, 23-year-old negro. County Judge George H. Rowe, who estimated Ham's term would cost the state \$4,000 to \$8,000 had declined to sentence him until after Georgia had been told he was to be had for the asking. Georgia did not want him.

Ham had had other sentences besides the 20-year stretch for robbery he was doing when he said he escaped from the chain gang but when the time came to sentence him he denied previous convictions. The authorities, rather than spend more money looking up his record, listed him as a second offender, counting the chain gang term and the Buffalo robbery of \$192 for which he was sentenced.

NEGRO BOY WOUNDED FLEEING FROM POLICE

A 12-year-old negro boy was shot and slightly wounded by police yesterday when, according to the officers, he ignored their commands to halt. Another negro boy with him escaped.

The negro boy identified himself as Jesse James Wright. He was treated at Grady hospital for a slight bullet wound of the left leg, and then sent to the juvenile detention home on a charge of suspicion of burglary. According to Radio Patrolmen W. M. Richards and W. F. Densmore, the two negro boys were seen at about 6 o'clock yesterday morning in front of 76 Marietta street. When the officers approached, both ran.

Wright, the officers said, ducked under a house at 678 Ponders avenue, N. W., coming out on the other side and still running. Ordered to halt, he failed to do so, and a shot was fired by Radio Patrolman Richards, wounding the negro boy.

Police are seeking his companion.

DEPUTIES ARREST 20 YOUNG NEGROES

Second Gang of Youths Implied in Series of Burglaries in Bibb County

Warrants charging more than 20 young Macon Negroes with burglary and larceny were obtained in municipal court yesterday afternoon by Deputy Sheriff William Branan as the climax to an investigation of recent break-ins and thefts centered in the downtown industrial district.

Warrants were obtained in 14 cases, and in practically every instance more than one alleged offen-

Better to Be Dead in Hell Than on the Chain-Gang

article she repeats what was told her by an ex-convict, a former victim of the Georgia chain-gangs.)

New York, N.Y. 8-16-35 Daily Worker
By Sasha Small

ATLANTA, Ga.—“Yes’m, I was on a chain-gang for eight years and four months, and if they ever get me again, I’m gonna make them kill me. I’d rather be dead in hell.”

The horrors of the memories this middle-aged Negro was recalling moved like shadows across his face. He winced as he spoke, suffering the pain of re-opened wounds.

“The day begins in misery. They wake you at three in the morning. Yes’m, I know they tell you they only work us from sun-up to sun-down, but the sun comes up mighty early in Fulton County, and you got to get up and eat and git out in the truck and be on the job with your pick in your hand by the time the sun comes up. At about four o’clock you gets your breakfast. Bacon meat and something you can call coffee. That meat ain’t fit for no dog to eat. It’s bacon all right, but the only lean meat you find on it is no bigger than a hair.

Ask Permission to Wipe Face

“From the minute you get on the job till you quits for dinner you can’t stop working, not for a second. Everything you do you got to call out to the guard. When the sweat gets running in your eyes and your mouth, stinging like hot needles, and you want to wipe it off your face, you got to sing out, ‘Wiping it off!’ right loud, so the gun man can hear you, before you dare to wipe it off your face.

“The same thing when you take a chew of tobacco. You got to call out ‘Taking a chew!’ Yes’m, they got drinking water there in an old bucket, but it don’t take long under that sun before it’s hot enough to cook your supper in, or take a bath, and full of dust and flies and things. Everybody has to drink from the same tin dipper, sure.

Bruises From Chains

“Chains? Everybody has chains on, except the trusties. First, there’s a chain about a foot-and-a-half long between your legs. That’s fastened onto two iron cuffs. Here, I’ll show you what they do to you.” He rolled up the trousers of his tattered overalls to show me two discolored circles, about two inches wide, around the middle of the calves of both legs, permanent purple bruises.

“You can’t let this things hang down around your ankles; they’d saw right through the bones of your legs. You got to push them up as far as they’ll go, and fasten them to two leather straps that goes right below your knees. They don’t pain so much that way

“Then from the middle of this leg chain, comes a long end of chain that comes up between your legs and gets fastened to the belt of your trousers round the back. What’s that for? To chain you in for the night.

Made to Wear Dog Collar

“No, they don’t put you in spikes except for punishment. You don’t work so good with spikes on. It’s hard to move around with them things poking out from front and back about a foot both ways. But I had a collar around my neck like an old dog for four years. Yes’m, every single day for four years, because I talked back to a guard. All I said was, ‘Can’t you see I’m working?’ That was plenty. It ain’t so heavy, you get used to that, but it gets so burning hot under the sun while you’re swinging away with your pick-axe.

“At twelve you stop to get your dinner. Another mess that even hogs wouldn’t eat, all served up on one old tin plate, meat and greens and all. They say it’s cooked. But that ain’t cooking. It’s just put over a fire and made hot. No salt in it or nothing, but plenty of bugs and worms and everything that feeds on greens. They don’t pick it over. They just sling it into the cooking pot. And you better not ask for more than you get. Or you get something else in the face or over the head.

“After about thirty minutes, you get back on the job and swing away till sundown. Then you eat again and by that time it’s eight o’clock and you go to bed.

Chained in at Night

“You get chained in at night, too. That’s what the long chain is for. Across the whole length of the room, there’s one long chain about as thick as your arm. That goes through the ring on the end of your chain, and all that sleeps on one side of that room is strung along on that big chain. Even at night you can’t do nothing without calling out to the guard. All night long you hear them calling. ‘Turn-you hanging in them for more than an hour on end, but they take you begins all over again, excepting out, pour some water over you, and Sunday. You don’t work on Sun-day, and that’s the one day you in again.

“I can’t tell you how it feels, you just hang there about so high nothing. They could stick a spike in your arm or leg, and you’ll say will keep him off that chain-gang, Angelo Herndon up there where he is. Tell them it’s better to be dead than living on a Georgia chain-gang!”

“Yes, I’ve seen men die on the chain-gang. And I’ve seen them killed. About seven of them that I can remember now. One was a young boy, no more than about 17. He was sitting in the truck that was taking us to work, right next to me, like you are. As we went down the road he saw a friend, a girl he used to know. He turns his head to look at her. All the prisoners sit, facing the same way on the truck, and the gun man, he stands up in front of them with his back to the cab of the truck. He waves his shotgun at the boy and hollers: ‘Turn back here, you god-dam. . . .’

Murder of Prisoners

“I was just. . . .”
“Shut your damn black mouth!”
“I was just—the boy kept trying to say and off went the gun, and the boy fell forward, filled with buckshot. He lay there in the bottom of that truck, and, after they put us off at our work, they carried him back to camp. None of us ever saw him after that, and none of us dared to ask what become of him.

“Another man I saw killed was working a little ways off from me. The guard got a-shouting at him for not working hard enough. He started to tell him how he was working the best he could, and doin’ all he could. That guard went crazy mad, and picked up his pick-axe and started beating him over the head with the handle till he mashed it to a pulp. ‘Scuse me, ma’am, that’s just how it happened.

“And I’ve seen men die on the chain-gang. Just die. No matter how sick you are, if they can get you onto your feet you have to go out on the road. I’ve seen men roll over in the truck and stretch out dead. I’ve seen a man swing his pickaxe into the ground and fall down after it, dead. What happens to them? If nobody don’t claim them, they burn the body up. What happens after someone gets killed? The gang he worked on gets a talking-to with a gun a-waving in your face. ‘Remember now, you tell that judge he tried to take my gun away from me,’ and if you know what’s good for you, that’s just what you tell the judge—if he ever comes to ask.

Torture Instruments

“Stocks? Everybody gets put in the stocks, and in the sweatbox, too. Plenty of men have been in the stocks for hours on end. I’ve been in there for more than an hour. They’re not allowed to keep you hanging in them for more than an hour on end, but they take you out, pour some water over you, and after an hour they put you back in again.

“I can’t tell you how it feels, you just hang there about so high nothing. They could stick a spike in your arm or leg, and you’ll say will keep him off that chain-gang, Angelo Herndon up there where he is. Tell them it’s better to be dead than living on a Georgia chain-gang!”



Before a chain-gang prisoner died of torture—this is a mild form of punishment used in a Southern “prison camp.” An investigator tries on a barrel in which prisoner was forced to work, naked. Later the prisoner died in a sweat-box.

Story of Murder and Daily Torture Told by Negro Who Worked Eight Years in Chains — What Georgia Has in Store for Herndon

(EDITOR’S NOTE: This is the fourth of a series of articles by Sasha Small, editor of the Labor Defender, written after a trip to Georgia and Tennessee. Sasha Small visited chain-gangs, interviewed important officials, saw the relatives of the Scottsboro boys and observed at first hand the conditions of the Southern workers. In this

get biscuit bread to eat.

"Yes, I've seen men die on the chain-gang. And I've seen them that killed. About seven of them that I remember now."

article she repeats what was told her
of the Georgia chain-gangs.)
New York, N.Y. 8-16-38
By Sasha Small Daily Worker

I can remember now. One was a young boy, no more than about that. He was sitting in the truck that was taking us to work, right next to me, like you are. As we went down the road he saw a friend, a girl he used to know. He turns his head he used to look at her. All the prisoners sitting facing the same way on

He waves his shotgun at the boys and hollers: 'Turn back here, you

Murder of Prisoners

He lay there in the buckshot. After the boom of that truck, and, after they carried him put us off at our work, they carried him back to camp. None of us saw him after that, and none of us dared to ask what become

"Another man I saw killed working a little ways off from the guard got a-shouting at him for not working hard enough. He started to tell him how he

working the best he could. That gun
down' all he could. That gun
went crazy mad, and picked up
on pick-axe and started beating
over the head with the handle
but he mashed it to a pulp.

'Scuse me, I don't know how it happened

put man, that's just now," he said. "And I've seen men die on the chain-gang. Just die. No ma'shell, that how sick you are, if they can't keep you onto your feet you have to pick you onto the road. I've seen men lie out on the road. I've seen men lie on the truck and stretch out on the road."

Or dead. I've seen a man swing
face pickaxe into the ground and
down after it, dead. What
to them? If nobody
claim them, they burn the bod-
y. What happens after someone

"What happened?" he asked.

"Eight killed? The gang he worked for got away."

"A talking-to with a few wags in your face," Remond said.

"Now, you tell that judge he can take my gun away from me if you know what's good for him."

That—if he ever comes to ask.
Torture Instruments
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“Turn- you hanging in them for mo-
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cepting out, pour some water over. X
sun- after an hour they put yo-

"I can't tell you how

[illegible]

up to your legs. You bow as they'll go, and fasten in all over again. Sewed up as far as the leather straps. They don't work them to two below your knees. You don't work goes right so much that way. They don't pain get biscuit bread to eat.

"You get extra long iron cuffs. That's what the long ones long between your legs. Across the whole length fastened onto two what they do too. Across the Here, I'll show you what the trousers are for. There's one long to you." He rolled up the room, there's about as thick as your arm of his tattered overalls about two through the ring on the



things. The same tin dipper, sure. get back on the job. Then you from the same tin dipper, sure. get back on the job. Then you Bruises From Chains has chains away till sundown. and by that time it's "Chains? Everybody has chains again and you go to bed. on, except the trustees. First, there's again and you go to bed. Chained in at Night on, except the trustees. First, there's again and you go to bed. Chained in at

"After about thirty minutes everybody has to drink or overcook your supper in, or take a bath, ask for something else in the bucket, but it don't take long under to cooking pot. And you get that sun before it's not enough to cook more than you get."

Everybody has to drink or overcook your supper in, or take a bath, ask for something else in the bucket, but it don't take long under to cooking pot. And you get that sun before it's not enough to cook more than you get."

"The same thing you got to call in it or nothing, but plenty of worms and greens. They don't eat a chew! Yes'm, they are better there in an old feed on greens. They just sling it into their mouths over."

out "Taking a chew!"

1.05 BEL

to can out the running in your eyes and sweat gets running in your eyes and like hot your mouth, stinging like hot. Another mess that you want to wipe it dinner. Another mess that needles, and you want to sing out, all served up and gr hogs wouldn't eat, meat and gr face, you got to sing out, the one old tin plate, meat and gr off your right loud, so the one old tin plate, meat and gr it off right loud, so the one old tin plate, meat and gr before you and all. They say it's cooked. It's just No, it's just cooking. It's just cooking.

BEHAVIORAL

Ask Permission. "From the minute you get on the job till you quit for dinner you are working, not for a second. If it gets so burning hot under the sun while you're swinging a pick-axe, then the guard. When the guard says stop to get a drink, then you stop to get a drink. Everything you do you get the guard's permission. When the guard says stop to get a drink, then you stop to get a drink. Everything you do you get the guard's permission. When the guard says stop to get a drink, then you stop to get a drink."

SCIENCE

bacon meat and something fit for I had a collar around my neck. Yes, I said was, 'Can't you see I'm two

RESEARCH

"No, they can't. You can't get up and eat and fit out in a truck and be on the job with your pick in your hand by the time the sun comes up. At about four o'clock you get your breakfast, and then you get about a foot back. Everything you can do is to work so good with spikes on. I have to move around with the things poking out from front and back about a foot both ways."

RCH

the sun comes up mighty for the night. **Dog Collar**
 like you at three in the morning legs and gets into the
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 that don't put you in splik

The horrors of the interior of the prison as he recalled moved like shadows across his face. He winced as he spoke, suffering the pain of the leg chain, comes a long end of this chain that comes up between you and the wall fastened to the belt.

REEL

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49

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New York, N.Y. 8-16-38
By Sasha Small
Daily Worker

[illegible]

Court Costs

IN A RECENT case tried in the Municipal Court in DeKalb County a negro house hold servant was accused of having pilfered five dollars from the purse of a woman who was a guest in the home of her mistress, and one dollar from the purse of another guest. In addition, she

was charged with having stolen a small quantity of table linen and clothing. The total value of the goods stolen was, it was testified, about eight dollars, the six in cash making the total loss fourteen dollars.

The maid was found guilty by the jury after three or four hours of hearing testimony, arguments by attorneys, a statement by the woman in her own defense and the charge of the presiding judge. All of these cost DeKalb County, it was estimated by the assistant solicitor of the court, about sixty dollars. The maid was found guilty quickly and sentenced to two years' imprisonment, probably a just sentence because of her past record.

But the most striking point in the case was the vast grinding of the wheels of justice, the cost to the citizens of the county, the sacrifice of three days of their time by the estimable women required to come into court, probably for the first time in their lives, to testify against the maid. Two days and a half they had spent sitting through tiresome and trivial trials waiting for the one in which they were interested to be called.

It was a case, it was said, palpable to all of those who attended, that should have been ended with a quick guilty plea and sentence and at almost no comparable cost to the citizens of the county. Some way might be devised to arrive at this end.

In many of the lower courts a saving in court costs has been achieved by using juries of six men instead of twelve, and application of this principle to all misdemeanor cases not involving moral turpitude might entail a tremendous saving for the state as a whole.

The situation is one to be studied intently by the gentlemen who make our

laws and those eminent barristers who are conducting an extensive study of codes with a view of recommending many changes in the jurisprudence of the state. Naturally, the American principle of com-

plete fairness to a defendant should be safeguarded to the fullest extent, but at the same time a keen recognition should be bestowed on the rights of the taxpayer who foot the bills of expensive trials the verdicts in which are foregone from the outset.

Atlantans Picket Store as Clerk Beats: Jails Customer

the case.

Organization Takes It Up

ATLANTA—(ANP)—Aroused because Dennis Redwine, 40 year old unemployed father of three, was beaten and jailed last week by white clerks in a A. & P. grocery store located in a Negro residential area where, citizens resorted to picketing and demanded that colored clerks be hired by the nationally known firm.

Police stood guard outside the store with drawn sawed-off shot-guns and radio cars cruised the neighborhood although no signs of violence marked the economic siege against the store. The second night after picketing began, several men garbed in Ku Klux Klan regalia of white sheets and wearing hoods cruised by the store in automobiles. After circling the block several times they drove on.

Starts Over Sugar

The trouble began over a sack of sugar which Redwine, on relief, stated he picked up to carry to the cashier for purchase as many stores operate on a "serve yourself" basis. Edward Grainger, white clerk who was discharged after the incident, struck the customer whom he accused of attempted theft. Redwine was held by Grainger and two other clerks until police arrived.

Arraigned before Judge Cone in city court, Redwine was held to the grand jury in bonds of \$200 charged with simple larceny after arresting officers testified the prisoner was intoxicated at the time. It was intimated, following the picketing, that store officials would not prosecute

Conferences were held with B. F. Vinson, vice president of the A. & P. group, by local branches of the N. A. A. C. P. and Urban League. Both the A. M. E. and Baptist Ministerial unions in their weekly meetings appointed committees to investigate the occurrence with a view to taking action. A special committee of west side citizens demanded Negro clerks to replace whites. Vinson, though not promising definitely he would do this, hinted he was confident a satisfactory solution could be worked out.

Negroes for the most part heeded the pickets. One of the few who entered anyway was Miss A. D. Hayes, teacher at the Washington high school, who took in a group of students. All came out laden with groceries. Principal C. L. Harris of Washington, although explaining the groceries had been purchased in September on a delayed delivery plan, branded Miss Hayes' action as "indiscreet."

POLICEMAN SHOOTS SMALL BOY

The ever ready pistol in the hands of reckless policemen generally proves disastrous. It is necessary for all officers to be armed, more as a matter of protection than apprehension. Because of this necessity, it behooves those in authority to only select the best type of men as policemen. If such an officer was on the force of Atlanta last week the twelve year old boy would not have been shot down as would be a mad dog or a hunted animal. As boys will, this child was loitering in a certain neighborhood, and as wont by these boys, upon the appearance of an officer they will scamper away. Without a more serious cause, the policeman in trying to arrest the boy, shot and struck him with the result the boy had to be sent to the hospital. From reports nothing has been done to the policeman and, no doubt, he was not even reprimanded for his cowardly action, but allowed to go free, thus encouraged to continue using his pistol as carelessly as desired. This type of men has no business whatever as an officer. In making arrests they are generally the aggressors and forces any man to respond in like Tuesday, in one of the interior counties, a petty officer, while looking for a man accused of a crime, entered the home of a humble citizen and acted in such a way as to cause him to be shot, as well as the colored man and his wife. If the approach of this officer was more in keeping with the law, there would not have been the least trouble and not only that but he would have been able to secure the help of the man and his wife in apprehending the accused for whom he was seeking. It is generally claimed that our

people will not assist in detecting crime. This charge is not true for they are as anxious for law enforcement as any other class. The apparent cause for this charge is that officers are always on the offensive in demanding what is wanted. Many times these officers, without any mark of distinction, attempt to enter homes. It is but natural for the occupants to resent it, but if it is made known that they were officials, then there would not be the least trouble. The at-

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Most of Them Prefer Chair to Chain Gang



"Most of them would rather go to the chair than to the chain-gang," the Fulton Towers prison trusty told Sasha Small. These human beings, living a life of torture, were photographed a few miles from Americus, Sumter County, Georgia.

Labor Defender Editor Visits Place of Torture and Living Death Where Georgia Rulers Would Send Angelo Herndon, Leader of Jobless

(EDITOR'S NOTE: Sasha Small, editor of the Labor Defender, official organ of the International Labor Defense, has spent the past two weeks in Georgia and Tennessee. She saw chain-gangs at work, inspected prisons, visited the relatives of the Scottsboro boys, interviewed important Southern officials and observed at first hand the conditions of the Southern workers, white and black. She has recorded what she saw in a series of articles. In this article, the first of the series, she tells of her visit to the Atlanta city stockade and to Fulton Tower Prison, where Angelo Herndon was confined.)

By Sasha Small

ATLANTA, Ga.—The threat of the chain-gang and its horrors hangs like a sword over the heads of the Negro and poor white population of the state of Georgia. The authorities see to it that it is poised perilously low all the time—that it is never forgotten. Chain-gangs are not confined to far-off highways in outlying counties. I saw them right on the streets of Atlanta. Human beings, black and white, segregated by an armed guard, but wearing the same filthy, ragged, striped suits, the same heavy chains, the same spikes. The gangs that work out on the

that last offense, "staying out late." "Is there a curfew law of some sort in Atlanta?"

"No, ma'am, there isn't, but if they get to staying out late, they're bound to get in some trouble, so we lock them up as a 'percaution.'"

Thirty days on the city chain-gang, shackled with a 21-inch chain between the legs, under the vigilant eye of the meanest-looking type of individual with a shot-gun under his arm, and an automatic very much in evidence on his hip—just as a "percaution."

The inside of the city stockade is hard to believe even when you see it with your own eyes. It looks like the fantastic creation of a sick imagination. It is all on one level—a little lower than the ground. Its concrete walls were once painted white. Today they are streaked with dirt that through the years has followed the designs traced by the dampness that trickles through from the ceiling.

Shackles and Spikes

Just as you enter through huge steel-barred doors, which clang shut with a mournful and final sound, you come into one of the divisions of the jail. A large bare room with one small window in one corner. Standing about three feet apart, in four even lines, were about twenty Negro prisoners. Most of them had no shirts on, only their striped trousers. Their dark skins shone in the gloom with the streams of perspiration running down their heads and shoulders.

All of them had shackles on and a few of them spikes. Spikes look just like pickaxes pointing upward. They extend front and back from the ring which holds the chains in place around the ankles of the prisoner. Those rings are only about half an inch in thickness, and hang loosely around the leg. To ease the pain of the constant banging, the prisoners strap whatever rags they can get just above the ankle to hold the steel clamp in one place.

Punishment on the Gangs

On each shoulder, the prisoners were holding long sticks about three feet long. Their elbows were extended out—away from their sides. One of the men let his elbows drop against his sides. "Get 'em up there!" snarled the jailer who was showing me around, "and keep 'em up."

In answer to my question, he informed me that these men were being punished for "refusing to go out to work" that morning. They would stand there all day, just as I had seen them, without any food or water, until they were ready to go to sleep. "It's too hot to put them into the regular punishment

boxes. Those are right in here."

He led me to a small room about ten feet long and eight feet wide with no windows at all. Its gloom was broken by the light of one small, sickly bulb high up near the ceiling. Along one wall were eight closed boxes, black and evil smelling, about seven feet high. They stood right next to each other, with no space between. These coffins stand about six inches from the ground, and near the top of the door, some three inches thick, is a small opening a few inches square. The obliging jailer slammed the door of one of the sweat-boxes shut to show me how firmly they could be locked.

24 Hours in the Sweat-Box

"Oh, we never keep any of them in there longer than twenty-four hours. It's all according to what they are being punished for. They get no food or water until their time is up. No, ma'am, they can't sit down. They've got to keep a standing position in there. Most of them fall asleep after an hour or so. No, on days like this (the temperature was about 102 in the shade) we don't have to take a chance on putting them in there."

On the other side of this terror chamber is an anvil and piles of chains. That's where they weld the shackles onto the prisoners. The beds the men sleep on, double-deckers, defy description. Once they had springs, and years ago the mattresses were probably whole. Today their cotton stuffing, gray and filthy, sprouts out in every direction and sags down into the wide holes in the springs. They are covered with ragged khaki or dark-blue coarse wool blankets. No sheets, no pillows, and soaked in some poisonous-smelling disinfectant.

Big Rock Jail

For some reason, Atlanta's officials did not follow their usual procedure with Angelo Herndon when they arrested him in the summer of 1932. They did not take him to this stockade first. They took him straight to the Big Rock Jail—Fulton Tower Prison.

This imposing edifice, two blocks from the stockade, has a false front of gray stone, recently cleaned up and smeared over with light gray paint. The building proper is of ancient red brick, and is six stories high.

The white trusty who was assigned to show me through the place earnestly led me to every nook and corner. The sadistic fancies of those who built Southern prisons had full play in the construction of

Big Rock Jail. Every floor is exactly the same. The staircase goes up the middle of the building. On either side of the landing are three huge steel doors, steel all the way from the concrete floor to the ceiling. All the doors on the right hand side were open. It was "white visiting day" and the white prisoners occupy the right-hand side of the jail.

Dark Cells

Just inside these steel doors are three other sets of steel doors. The one in the center has small glass openings at eye level. Right under these openings is the speaking apparatus, a small section of perforated metal. The sound comes through as from a telephone transmitter. White the prisoner is speaking, the visitor leans down with his ear to this mechanism, then the prisoner leans down while his visitor answers him.

The two steel doors at the sides lead to a sort of corridor about three feet wide. The long, narrow passage-way. The cells themselves are in a huge cage, which this corridor surrounds. They too are built around an open space in the center, which is absolutely dark except for the light that comes through the barred windows, which must then pass through the backs of the cells. The cells themselves and then what's left seeps into the open space in the center. The floor is, of course, concrete filled with cracks and very damp. Water is constantly dripping from the pipes in the ceiling, and the top of the cage just halts the progress of the drops somewhat until they fall down on the heads of the prisoners.

Where Herndon Was Tortured

As we mounted floor after floor, the same sight could be seen from the left-hand side of the jail. Two pairs of white, sagging, framed in dark-skinned foreheads, peering through the little windows of the cells. The Negro prisoners scurried away as I looked in. Was at one end, there was a clothes-line. "Sure they washes their own clothes, who do you think would do it for them?" the trusty said, smiling at my ignorance. It was after I had looked into the third of these filthy cages, where the men either paced back and forth or sat around on the floor leaning against the cells, that I asked my guide about a prisoner named Angelo Herndon. Did he know of him?

"Oh, yes, ma'am, he's here all right. He got 18 years, but we're just keeping him here until they send him to the chain-gang."

He got somewhat vague at this point, and announced that there were so many "nigger" prisoners at the moment—about 200—that he wasn't sure exactly which Herndon was in. This man was obviously repeating a well-rehearsed story. The author-ities of the state of Georgia, from the prison commission, the prose-

Most of Them Prefer Chair to Chain Gang



"Most of them would rather go to the chair than to the chain-gang," the Fulton Towers prison trusty told Sasha Small. These human beings, living a life of torture, were photographed a few miles from Americus, Sumter County, Georgia.

Labor Defender Editor Visits Place of Torture and Living Death Where Georgia Rulers Would Send Angelo Herndon, Leader of Jobless

(EDITOR'S NOTE: Sasha Small, editor of the Labor Defender, official organ of the International Labor Defense, has spent the past two weeks in Georgia and Tennessee. She saw chain-gangs at work, inspected prisons, visited the relatives of the Sacco-Vanzetti boys, interviewed imprisoned Southern officials and observed at first hand the conditions of the Southern workers' white and black. She has recorded what she saw in a series of articles. In this article, the first of the series, she tells of her visit to the Atlanta city stockade and to Fulton Tower Prison, where Angelo Herndon was confined.)

By Sasha Small

ATLANTA, Ga.—The threat of the chain-gang and its horrors hangs like a sword over the heads of the Negro and poor white population of the state of Georgia. The authorities see to it that it is poised perilously low all the time—elbows drop against his sides. "Get from the stockade, has a false fronting at my ignorance. It was after that it is never forgotten. Chang-gangs are not confined to 'em up there!" snarled the jailer of gray stone, recently cleaned up, I had looked into the third of these far-off highways in outlying coun-city streets come from the city who was showing me around, "and and smeared over with light gray filthy cages, where the men either ties. I saw them right on the stockade. Their offenses are minor, keep 'em up." In answer to my question, he in-ancient red brick, and is six stories black and white, segregated by an ing out late at night.

Arrest Men as "Percussion"

While the proud jailer of the city would stand there all day, just as place earnestly led me to every nook "Oh, yes, ma'am, he's here all the same heavy chains, the same spikes stockade) where these men sleep all had seen them, without any food and corner. The sadistic fancies of right. He got 18 years, but we're The gangs that work out on the night-placing me through for water, until they were ready to those who built Southern prisons just keeping him here until they hideous rooms, I asked him to go to sleep. "It's too hot to put them into the regular punishment

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Punishment on the Gangs On each shoulder, the prisoners mer of 1932. They did not take away a I looked at one when they arrested him in the sum- cages. The Negro prisoners, scurried procedure with Angelo Herndon, let me go right up to one of the clals did not follow their usual Negro cells. They looking/ trusty pairs of wife, says as framed in dart-stained, for ends, peering the left-hand side of the jail. Two

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He informed me that the county has just appropriated \$100,000 to make the jail stronger so that no one will be able to break out—also to clean it up a bit. Mr. Turner, the chief jailer who to break out—also to clean it up a bit. August when he was freed on Angered at Herndon's Bail Fund national Labor Defense: "Hope to the jailer. The sigh with which all see you back here for good," in-the officials I spoke to informed me struts his flunkys to inform all that "Herndon was out on bond" who ask that he still has Herndon was eloquent. Some of them, how-

ever, are as unscrupulous as the old jailer, for the Atlanta Journal, in reporting the visit of the delegation demanding Herndon's freedom which had called on Governor Tal-madge a few days earlier, carried the following sentence: "They had come to urge a pardon for Angelo Herndon, Ohio Negro, now serving an 18 to 20 year prison sentence for attempting to incite insurrection." (Atlanta Journal, Aug. 3, 1935.)

Most of the men serving time in Big Rock Jail are awaiting shipment to the chain-gang or to the electric chair. From all that I heard and saw after my visit to Big Rock, I can now easily understand what the trusty meant when he said:

"Yes, ma'am, most of them 'ud rather go to the chair than to the chain-gang."

Body of Woman Found in Ruins

Sheriff Says Negro School House Fired to Hide Crime

GRIFFIN, Ga., Aug. 19 (P)—A coroner's jury today returned a verdict that a white woman whose body was found in the ruins of a burned Negro school house near here had been "killed by persons unknown." Deputy Sheriff S. D. Corley of Spalding county said the fire apparently had been set to conceal the crime. The body was so badly charred that identification was impossible at present, Corley said.

The building destroyed was the Mount Pleasant school for Negroes, two miles north of Griffin.

Near the ruins officers found a woman's ring and other trinkets. A pool of blood at the same spot indicated, they said, that the victim had been dragged from an automobile there before being placed in the school house.

NEGRO TRUSTY DIES OF WOUND FEW DAYS BEFORE END OF TERM ITHACA, N. Y.

Prisoner Keeps Stabbing by
Woman Quiet Until Blood

Poisoning Sets In

Robert Shivers, Negro trusty in the Bibb county jail, died yesterday in the Macon hospital, of a knife wound received less than a week before he was to have finished a 12-month term for violating the state prohibition law.

T. J. McCommon, county jailer, said last night he had made a thorough investigation and that a Negroess, Julia Bryant, was being held in jail on a charge of stabbing in connection with the case.

The jailer said Shivers had been sent to the basement of the courthouse to deliver some market baskets in which visitors had brought gifts to prisoners. Witnesses said the Negroess asked him for a dime which he had in his hand, and that when he refused to give it to her she stabbed him in the leg.

That happened on Sunday, Sept. 29, but the Negro made no report of his injury until the following Tuesday, a week ago yesterday, when the leg began to pain him.

Dr. T. A. Hurley, county physician, examined and treated the wound that day and when the infection became worse the following day, ordered the prisoner carried to the Macon hospital, where he died yesterday of blood poisoning.

Mr. McCommon last night described Shivers as a "good Negro" and said his investigations had shown that the trusty was carrying out the duties assigned to him at the time of the alleged stabbing.

Coroner Lester H. Chapman said last night an inquest would be held in the case, but that no details had been arranged.

Shivers' sentence, for a liquor law violation, ran out last Friday.

NOV 5 1935

Georgia Papers Please Copy

Action of the American Prison Association in condemning without qualification the chain gangs of Georgia and other southern states, brings us once more to the realization that considerable sections of this country cannot be called civilized in their treatment of prisoners.

The chain gang, the logging camps, the turpentine camps, the sale of convicts to labor contractors for work in the Alabama mines, all of these are cruel and brutal anachronisms. No society which tolerates such utterly debasing punishment has the right to call itself civilized.

In general the southern states have always lagged behind the rest of the country in the outward manifestations of civilization. Lynching, backward education, high illiteracy, economic exploitation of the weak, all find their most frequent illustrations in the South and more particularly in the Deep South.

"We offer the services of the American Prison Association to those people of this (Georgia) and other states who do not believe in the inhuman treatment of prisoners and are seeking to abolish it," reads the resolution adopted by the Association.

The truth back of the atrocious prison conditions in the South lies in the economic advantage they bring to officials, sheriffs, wardens, etc., and to certain exploiters. To abolish the system, however, will require a considerable development of the southern conscience.

Georgia papers please copy.
DAYTON, O.

NEWS

NOV 8 1935

Brutal Punishment

The American Prison association could not have chosen a more appropriate city for its recent conference than Atlanta, where the state of Georgia makes its laws. Nowhere is there greater need of prison reform than in the prison camps of the south; those of Georgia have been in particularly bad odor.

It is to the credit of the association that it had the courage to speak out against the evil under its nose. Gov. Talmadge calls the chain gangs of Georgia "the most humane way" to treat prisoners, but the association contradicts him with vigor. The chain gangs, it flings at Georgia as a parting shot, are "utterly inconsistent with the dictates of humanity." It is ready to help fight them wherever they exist.

The brutality and depravity of the prison camps of the south form the ugly story which organizations for the improvement of our penological system have long been telling. In Florida a sheriff himself went to prison for the "sweatbox" murder which occurred in a prison camp under his supervision—one of the few instances in which such a crime has been punished. In another southern state recently officials were acquitted of having wilfully left two Negro prisoners in shackles until their feet froze, necessitating amputation. After the revelation of cases like these, public opinion will not agree with Gov. Talmadge.

The Georgia executive has also indorsed the whipping post. Even the Wickersham commission, which several years ago could propose no better solution than that for our crime problem, reported that "instead of cowering one man, repressive rules and tortures have aroused a hundred to greater hatred and discontent." In Delaware, the one state which retains flogging as a punishment for a number of offenses, Warden Leach finds that the whipping post, instead of acting as a deterrent, more than ever embitters the convict against society; the wielder of the "cat" sees many a face familiar from previous beatings.

The American Prison association does well to remind us that an age which calls itself advanced should discard medieval tortures for enlightened methods.

NEGRO FACES TRIAL IN STURDIVANT CASE

WASHINGTON, Ga., Aug. 10.—(P)—Charged with murder in the death of Police Chief H. A. Sturdivant, a negro booked as Tom Booker, has been scheduled for trial Wednesday in White county superior court. Sturdivant, a brother of Police Chief R. O. Sturdivant of Atlanta police, was fatally injured on the night of July 4 when he was hurled from the running board of an automobile in which he was bringing a group of negroes to jail.

BOOKER IS INDICTED IN STURDIVANT CASE

WASHINGTON, Ga., Aug. 6.—The Wilkes county grand jury today indicted Tom Booker, negro, for the murder of Police Chief H. A. Sturdivant, Washington chief of police.

Chief Sturdivant was attempting to arrest Booker on the night of July 4. Boarding the running board of the car to make the arrest, the negro had the motor running and threw it in gear, dashing headily down the street and running into a tree, throwing Chief Sturdivant off and inflicting injuries from which he died some days later.

Booker escaped but was caught the following day by Sheriff G. H. Lunceford and his deputies. The case probably will be tried this week.

GANG SYSTEM HIT BY PRISON GROUP

Chain Gang Condemned at Closing Session of Association Convention.

The American Prison Association yesterday condemned the chain gang in Georgia and other states as "utterly inconsistent with the dictates of humanity" during a spirited meeting at which the organization defeated a resolution asking President to take a hand in abolishing the system.

The association's action was taken at the close of its 65th congress here after earlier going on record against rules prohibiting probationers and paroled convicts from CCC camps and from state and federal civil service examinations.

"We offer the services of the American Prison Association to those people in this and other states who do not believe in the inhuman treatment of it," said the resolution on chain gangs, adopted as a compromise for the one defeated in which Mr. Roosevelt was requested to act.

This resolution was introduced by Austin H. MacCormick, commissioner of correction of New York city, and was adopted unanimously.

Grady Attacks Talmadge.

The lively discussion in which condition in both jails and chain gangs were criticized came during the final minutes of the congress after Dr. William E. Grady, associate superintendent of New York city schools, attacked Governor Talmadge, of Georgia, for describing chain gangs as "socialized" travel tours.

Talmadge, in an address before the convention Monday, defended chain gangs as the "most humane" way to treat prisoners. The Governor also advocated the whipping post for small crimes "like wife-beating and gaming."

"I don't know anybody who can act as the pivot in this situation other than the President of the United States," Dr. Grady said during today's discussion.

Dr. Grady advocated making a "proper appeal" to the President on his visit to Georgia next month to "use the influence of a great office as well as a great heart to wipe out a situation that is a blot on the name of a great state."

"Unhuman Conditions" Found. He said he had visited prison camps in and near Atlanta and found "unhuman conditions."

The motion to ask President Roosevelt to intervene was made by Willie J. Ellis, of Trenton, N. J., commissioner of the Department of Institutions and Agencies of that state.

Ellis did not insist upon the resolution when sentiment against going directly to Mr. Roosevelt was voiced by delegates, but remarked "We can not go away here without an expression of some sort."

J. Stanley Sheppard, assistant prison secretary of the Salvation Army for the department of the east, led the fight against taking the matter up with the chief executive.

"How are you going to help the situation where the people of the state are indifferent," Sheppard said. "Chain gang conditions in Mississippi and other states are just as bad as those in Georgia."

Bad Conditions in N. Y. In discussing his resolution, MacCormick said he was not unmindful of deplorable conditions in his own city but it was "not quite—thank God—as inhuman as chain gangs."

The resolution referring to the ban against probationers and parolists from CCC camps described it as "impairing and impeding the work of the two most effective agencies of crime prevention."

The other dealing with civil service bar said this rule was "discriminatory and a social error."

In yesterday's closing session under the auspices of the committee on case work and classification, Ellis explained the system used in New Jersey.

"Profit" System Past. Walter N. Thayer Jr., of Albany, New York state commissioner of correction, declared "the idea that prisoners must be operated for a profit is past."

"Society must realize that the pris-

on must be subsidized," Thayer said. "It costs us \$500 a year to keep a man in prison. This is saved when he is put back into society by probation or parole."

"If I didn't have parole my budget would be \$4,500,000 more. I'd have to have 9,000 more cells at \$2,500 a cell."

"From the economic angle alone, parole can be justified," Thayer said there were an additional 27,000 on parole in New York state.

"When people assail probation and parole they don't realize that they save from 85 to 95 per cent of the people placed under the jurisdiction of these two methods of dealing with prisoners."

PRISON CONGRESS RAPS CHAIN GANG AS CRUEL SYSTEM

Speakers Here Vigorously Oppose Talmadge Views on Gang and Whipping Post; Score Ga. Prisons.

Prison leaders were told here last night the chain gang has no place in an American penal system.

Answering Governor Talmadge's advocacy of the chain gang and the whipping post, William B. Cox, New York, executive secretary of the Osborne Association, attacked "the public degradation that comes in working men on public highways, often in shackles or stripes."

His remarks were made in his address before the Congress of the American Prison Association, "Indescribably bad" conditions he said the Osborne Association had found in the prison systems of the country.

Commissioner Austin H. MacCormick, commissioner of correction for New York city, in his talk expressed the conviction that crime can not be checked by concentration on prison practices, parole, prevention or any other single phase but can be reduced by intelligent administration of law.

"The process of law should be made more certain, more swift and more just," he said. "The hands of the honest and efficient police should be backed. The use of the office of

prosecutor as a political ladder should be made impossible. The process of trial should be a search for truth rather than a battle of wits in which the complexities of the law are too often used to free the guilty and trap the innocent. Political trading in judgeships should cease. Shyster lawyers and corrupt professional bondsmen should be driven out. Probation and parole should be expanded and strengthened. Finally the whole administration of criminal justice should be inspired by a profound social consciousness and supported by an informed public intelligence."

Cox said in his talk, "No one who thinks of the prisoner's future can seriously doubt that the conditions in the chain gangs in this and other states cannot help but send back into the community men whose resentment and demoralization are a constant threat to the citizens."

Lauds New Prison.

Adding Georgia has "never had adequate state facilities to which they could remove prisoners," Cox said it is "encouraging to know that Georgia is now building a modern penitentiary."

"The new institution," he said, "can be a powerful aid to the prison commission in raising the standards."

Cox described seeing "the dirtiest and most foul-smelling cage wagon imaginable" in one prison camp.

"Much was heard a few years ago about the sweat boxes in Georgia," he said. "On our last inspection we did not find a single sweat box in use, but this can hardly be said to indicate progress in disciplinary methods, since stocks were in very common use."

"One warden called our attention to the stocks as the 'finest damn punishment that was ever invented.'"

Cox added there is "no objection to working of prisoners on public highways or public works, but these camps should be utilized to work only those prisoners who can be properly cared for in minimum security units."

Governor Praised Camps.

Governor Talmadge said in his remarks Monday night that most able-bodied Georgia prisoners are in camps and said most of the inmates in Georgia prisons "want to be out in them."

Cox told of overcrowded conditions in prisons throughout the country and of unusual methods of punishment used in many prisons.

"The change in environment and work of the prison camp or chain gang is the most humane way to keep prisoners," the Georgia executive told the congress. "A good whipping in a man's own county and town would work better than detention in the smaller crimes such as gaming and wife beating."

The Governor said he wasn't interested in Robert Elliott Burns, author of the purported biography, "A Fugitive From a Chain Gang."

"If he can get along in New Jersey it suits us all right," Talmadge said.

Chain Gangs Attacked.

Dr. Nathaniel Cantor, penologist and professor of criminal law at Buffalo University, led the attack. "The Georgia chain gangs," he said, "are probably the most bestial elements in the American prison system."

He displayed a postcard he said was received from a chain gang worker complaining of "undue punishment due to the indifference of the Georgia Prison Commission."

Burdett G. Lewis, of Chicago, field director of the Public Welfare Association, said "with the proper system of classification in prisons you wouldn't send out 10 per cent you would have to put chains on."

"I have no use for the whipping post," he said, "it only does in a crude, external way what other methods will do much more effectively."

Growth in Crime.

Warden Stanley P. Ashe, in his presidential address to the congress Monday night, depicted "a colossal growth in organized crime in recent years," but added there had accompanied it "an increase in serious interest in the problem of crime among professional and scientific groups probably unprecedented in the history of this country."

Barkey S. Sanders, of the FERA in Washington, said in a report on the federal research project on parole that "routine use of prediction tables (for determining success or failure of paroled prisoners) should be discouraged as yet."

"The demonstration of apparent association between parole outcome and certain traits," he said, "is no assurance of predictive ability."

"In order to make prediction feasible to any important extent, extensive and constant research and thorough familiarity with all pertinent circumstances are imperative."

Adult Probation.

Judge Langston G. King of the criminal district court No. 2, Harris county, Texas, reported on adult probation in the south.

"Beyond doubt the negro would be the least troublesome of all as a probationer," he said. "While adult probation is not out of the experimental stage as yet, the south is a ripe field in which to work."

He said he was persuaded "more than half" the prisoners in the south serving terms of five years or less "should have been handled by adult probation and without prison terms."

A move to settle the controversy between prison officials and peace officers over parole methods, was started yesterday by the association.

The association referred the matter to its resolutions committee as Andrew J. Kavanaugh, president of the International Association of Police Chiefs and public safety director at Miami, Fla., said he would appoint a committee from his organization to work with a similar one from the prison association.

The prison association probably will act later in the week and select a committee.

Basis of Controversy.

E. R. Cass, secretary of the prison association, said the differences between the groups was the contention of the police chiefs that parole methods are too lenient while the prison group wanted parole extension. William J. Ellis, New Jersey commissioner of institutions and agencies, began the movement at the conclusion of Kavanaugh's address on "Crime Detection and Correction." Ellis suggested the appointment of

"Inmates of the prison at Milledge-

Macon's Big Homicide Figures

On an otherwise white sheet a black spot will attract most attention. Those of us who live in Macon do not regard it as a crime center. The Macon police department and the sheriff's forces have a splendid record in run-

running down criminals and in making the city
unattractive for them. 3035 and the report that
has caused the unfavorable notoriety for the
community deserves analysis and explanation.
The following clipping from the Cincinnati
Times-Star is typical of the comments:

WHERE LIFE IS QUITE SAFE—

Sometimes we grow weary of calling pointed attention to the fact that murder is twenty times as common here as in England and Wales, and that in one county in the British Isles there has not been a murder in fifty years. For the once we take the other tack, and rejoice that there are certain cities in this country where life is quite safe.

carried on. "Who are the offenders?" was asked. On an otherwise white sheet a black spot was asked of Judge Malcolm Jones of the criminal will attract most attention. Those of us who branch of the Superior Court. "You wouldn't live in Macon do not regard it as a crime recognize one in five hundred of the name center. The Macon police department and the

that appear in the criminal courts," was his reply. He explained that except for the five white men who killed with an automobile, the offenders are mostly in the submerged class that resides in or visits a "dive" section. Of the thirty-six homicide cases, nine were released by the courts before prosecution and twenty-seven were prosecuted. Colored males were handiest with the gun. They did sixteen of the killings with guns. The colored women killed four people with knives, and three with guns. One colored male killed with a knife, and two killed with automobiles. White males killed three with guns and five with automobiles. The killers were largely in the majority between 24 and 27 years. Most of the burglaries were committed by persons 16 to 19 years old. Those between 20 and 23 years almost equaled those between 24 and 27 years old. Macon's average percentage on the basis of one hundred thousand population is almost six to one in the murder column, but the city has in the last census report only 56,000 population, 40 per cent of which is colored.

A decided improvement has been noted for years in the tragedies among people who profess respectability, thus bringing us squarely up against the problem of dealing wisely with the underprivileged classes. The colored population is drawing the line more sharply against its offending members. For years they seemed to think the law was the white man's weapon against the Negro, and that offending Negroes must be made safe from detection and punishment; but that feeling is rapidly passing. The Negroes know that they can never rise to any desirable station in life as long as they are held down—not by the white people, but by the worst element of their own people.

Macon's biggest industries are its schools and colleges, and it has prided itself on its leccency. But it behooves all of the people to clean up its slums and alleys as soon as possible. The dives are the crime breeders. We are apologetic, but we have simply allowed the nation to take a peep into the bag of linen intended for the laundry.

Macon's Big Homicide Figures

Since publication of figures by the Bureau of Identification in the Macon police department in September, the papers and magazines of the country have made comment on the violent crime record in the city.

sheriff's forces have a splendid record in running down criminals and in making the city unattractive for them. And the report that has caused the unfavorable notoriety for the community deserves analysis and explanation. The following clipping from the Cincinnati Times-Star is typical of the comments:

WHERE LIFE IS QUITE SAFE—

A population of 885,000 lives in the American cities of Brockton, Cambridge, East Orange, Gloucester, Haverhill, Hoboken, Lakewood, Lansing, Lincoln, Newport, Quincy (Mass.) and Quincy (Ill.)—all but four of them cities of the Seaboard states. In them, as we learn from an article by Frederick L. Hoffman in the insurance publication, *Spectator*, not a single murder was committed in 1934. Had the average national homicide rate been maintained in them, there would have been 89 deaths. Had the Macon (Ga.) rate been maintained, there would have been 623.

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The report is the first made by the Bureau of Identification under J. C. Smith, fingerprint expert. He has done a thorough job, and the court officials are anxious to see the work carried on. "Who are the offenders?" was asked of Judge-Malcolm Jones of the criminal branch of the Superior Court. "You wouldn't recognize one in five hundred of the names that appear in the criminal courts," was his reply. He explained that except for the five white men who killed with an automobile, the offenders are mostly in the submerged class that resides in or visits a "dive" section. Of the thirty-six homicide cases, nine were released by the courts before prosecution and twenty-seven were prosecuted.

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For Sudden Death, \$150.

Several months ago, a York or pardons coming from people who county Negro was run down and have met and liked a prisoner they killed while walking along the highway by a passing automobile statement was "misleading and exaggerated."

The driver of the machine did not stop following the accident, but sped away into the night.

With admirable perseverance set about being eliminated.

York county officers set about being eliminated.

identifying the death car and its driver, with the result that recently they arrested a young white man of York county and charged him with the death of the Negro.

Brought to trial last week the youth was convicted and sentenced by the court to pay a fine of \$150 and costs.

This seems to us a mighty cheap price to pay for a human life. While not concerning ourselves with the degree of guilt attaching to the driver of the automobile, the very fact that the court found him accountable for the pedestrian's death should have caused the unfavorable publicity for them.

carried a sentence far more severe than a paltry \$150 fine. The prisoner should have been freed entirely or punished in a manner commensurate with his crime.

We cannot help but wonder what the verdict and sentence of the court would have been had the situation been reversed: the driver of the car a Negro and the victim a prominent young white man.

GOVERNOR REPLIES TO GANG ATTACKS

"Well Intentioned" But Misinformed Is Talmadge View of Prison System Critics.

Attacks on the Georgia chain gang system by William B. Cox, welfare association executive, before the convention of the National Association of Prison Officials, yesterday brought replies from Governor Talmadge and Representative Stonewall H. Dyer, of Corveta county, chairman of the penitentiary committee of the house of representatives.

"It is more humane to permit convicts to be out of doors working than it is keeping them in a penitentiary where they must see the same drab walls year after year," the Governor said. "Undoubtedly this criticism comes from good intentions, but the critics have discipline mixed up with punishment."

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Crime - 1935

Georgia.

ELECTROCUTION STAY DENIED TWO NEGROES

R. C. Whitman Named Putnam Solicitor by Governor Talmadge.

By the Associated Press.

Governor Talmadge Thursday declined to stay the electrocution of Isiah Ashley, Appling county negro, who is scheduled to be electrocuted at the state penitentiary in Milledgeville, Friday for slaying a white man, J. W. Holton. 4-5-35

Previously the governor turned down an application for clemency in behalf of Albert Rivers, another negro, who also is to die in the electric chair Friday for conviction of criminal assault upon a 9-year-old white girl. Rivers was convicted in Screven county superior court.

The state prison commission has also turned down applications for clemency in both cases.

A lunacy commission appointed by Governor Talmadge to examine Ashley wired the governor that Ashley was not insane. "He does not recognize seriousness of offense, not insane," the message read. It was signed by Dr. John W. Oden, superintendent of the state insane hospital, and Dr. Y. H. Yarborough, a physician at Milledgeville.

Applications for clemency in behalf of three men serving time for forgery, larceny and burglary, were taken under advisement Thursday by the State Prison Commission.

The board heard an appeal for a paroled sentence for N. A. (Norman) Pickett, who was convicted in Clarke county of forgery in April, 1934, and sentenced to serve from two to three years. The application was filed by Joseph E. Webb, attorney.

Clemency was asked for O. R. Thorpe, who was convicted in Bibb county in January, 1933, on the charge of larceny from the house and given four years. He is serving on a Paulding county chain gang. The application was filed by Attorney J. E. B. Stewart.

Howard Johnson asked to be paroled from a sentence from one to three years for burglary. He was convicted in February, 1934, in Spalding county.

Governor Talmadge has appointed R. C. Whitman as solicitor of the county court of Putnam to fill the unexpired term of E. J. Summerour Jr., who resigned recently. The term expires January 1, 1937.

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TWO NEGROES FACE EXECUTION FRIDAY

Unless the governor grants a reprieve, two Georgia negroes will be electrocuted at Milledgeville Friday, for the state prison commission has declined applications for clemency in both cases.

The doomed men are Albert Rivers, who was sentenced after his conviction in Screven county last May on a statutory charge and the other, Isiah Ashley, alias Beedee, who was convicted in Appling county for murder last June. Ashley was sentenced to die for the slaying of J. W. Holton.

The prison commission declined applications for clemency on February 5. The prison commission Tuesday took under advisement an application for commutation to life imprisonment the death sentence imposed on Will Sam Grimes, of Weston, Ga.

Grimes, a negro, was convicted in the Webster county superior court in February, 1935, for the death of J. J. King, a Weston merchant, who was slain in his store in January.

NEGRO SHOT TO DEATH RUNNING FROM POLICE

Officer Fired in Belief Man Was Reaching to Pocket for Gun.

Wilson Jordon, negro, living in the rear of 133 Moore street, S. E., was shot and killed by Patrolman J. R. Chupp early yesterday morning when the negro made a move as if attempting to pull a gun from his hip pocket, the officer reported.

Residents in the vicinity of Gilmer street and Piedmont avenue complained to police earlier in the evening that a group of negroes were creating a disturbance. Officers dispersed them. Later a second complaint was made and Patrolman Chupp went to investigate, accompanied by Fire Marshal P. B. McKinney.

They had dispersed a crowd of negroes when Jordon leaped from behind a bush and fled down the street. Chupp called on the negro to halt and the fugitive stopped and reached for his hip pocket, Chupp reported. Chupp fired into the air and the negro tugged frantically at his pocket, the officer said.

Fearing the negro had a gun, Chupp fired one shot at him, the bullet striking the negro in the head. The negro ran nearly a block before falling. He was taken to Grady hospital, where he was pronounced dead on arrival. No gun was found on Jordon, but officers are making a search of the block in the belief the negro threw the gun away as he ran.

chase but decided I had better get my wife to the hospital, so Mr. Goldsby chased the Negro."

Woman Wounded in Back By Shot of Negro Youth

Mrs. Annie Kent Allegedly Fired Upon From Ambush While Picking Black Berries; Father of Boy and Victim Unable to Explain Shooting

Shot in the back, allegedly from an ambush, Mrs. Annie Kent, young white woman of 1337 Edgewood avenue, was treated at the Holt's hospital late yesterday morning and county officers held Johnnie Lee Hoke, 14-year-old Negro of 145 Middle street, her confessed assailant, on a charge of assault with intent to murder.

Although the small Negro admitted to his father and to county officers that he fired the .22 calibre rifle shot at Mrs. Kent and others, picked blackberries near Tamworth, about five miles south of Macon, he contended that the shooting was accidental.

Mrs. Kent received emergency treatment for a bullet wound in the small of the back and was dismissed to her home early last night when X-ray pictures revealed no serious injury. Physicians found no trace of the bullet in the wound.

Louis M. Kent, railroad employee and husband of the wounded woman, related that he had seen the youth lurking behind them as they walked into the swamp picking berries, en route to a spot where he and his wife and B. W. Goldsby Macon man, and his young woman companion planned to have an all-day fishing party.

"Ducked Behind Tree" "He was some distance behind us," Mr. Kent reported, "and when I looked back I saw him duck behind a tree. But I did not think much about it and we continued to walk through the swamp, the women walking along behind us."

Just as they entered a thicket, the railroad man continued, he heard a sharp report and heard his wife scream.

"Something stung me," Mrs. Kent cried as she ran toward her husband.

Thinking that his wife was the victim of a hornet Mr. Kent looked over the wound. He saw a hole in her dress and blood stains.

No Motive Seen "Then I knew that the report I heard was a rifle shot," he said, "and when I looked up I saw the Negro running. I started to give

Soon after the shooting Officers J. C. Calhoun and A. A. Raley found the Negro youth near Tamworth and placed him under arrest. No bond had been made that night. While Mr. Kent declared he believed the shooting intentional, he reported that he did not know the Holt Negroes and could advance no reason for an attack.

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NEGRO GETS OUT OF TAX DISPUTE

Judge Jones Sustains Motion Concerning Action Against City of Macon

Judge Malcolm D. Jones of superior court yesterday sustained a motion in which J. V. Colbert, Negro, asked that his name be stricken from a list of plaintiffs in an action brought against the city of Macon and the Interstate Bond Company in connection with tax fi fa transfers.

Action of the court came at the conclusion of a short hearing at 2:30 p.m. in which Colbert claimed that he had not given permission for his name to be used, that a fee of \$10 to be used in payment of attorneys had been requested of him by Charles E. Nash, tax adjuster, who has had considerable litigation with the city, that he did not make the contribution and that he had no knowledge that he had been made a plaintiff in action.

Mr. Nash, on the other hand, contended that he had been given authority by Colbert to make him a plaintiff in the fi fa action.

In his petition, Colbert claimed that he discovered inclusion of his name in the fi fa action when he sought to pay off fi fas held against him by the Interstate Bond Company, which declined to accept the money because of a restraining order.

Ed F. Taylor represented Colbert, while Mr. Nash's counsel was the firm of Park and Strozler and Walter T. Johnson.

Negro Convicted By White Jury Is Denied Freedom

ATLANTA, June 12.—(P)—A negro prisoner in the Atlanta Federal Penitentiary today was denied his release after he presented a petition for freedom in Federal Court based on the Supreme Court decision in the Scottsboro case.

The negro, Carlos Cartino, given a five-year sentence in Federal Court at Birmingham, Ala., March 5, 1934, for stealing freight, contended he was convicted by a jury which did not include a member of his race. He cited the decision of the Supreme Court in the Scottsboro case and said there were no negroes on either the Grand Jury that indicted him or the petit jury that heard the case.

A new trial was granted the Scottsboro negroes by the United States Supreme Court on the ground that negroes were excluded from the jury that convicted them.

NEGRO IS GIVEN YEAR IN FAKE CLAIM CASE

A 12-month chain gang sentence was given Fisher Sease, negro, in Fulton superior court yesterday on a charge of cheating and swindling in connection with an alleged fake damage claim against Georgia Power Company. By agreement of defense counsel with the solicitor-general the case was tried before Judge James C. Davis without a jury. The state contended the negro collected \$100 from the power company for a faked injury.

Another negro, George Irby, went on trial yesterday before Judge Davis in connection with a claim against the power company. His trial will be concluded today.

URBAN LEAGUE WEEKLY BULLETIN

By JESSE O. THOMAS.

The office of the solicitor and members of the police force have been very much exercised in the attempt to wipe out the "number racket." The four major crimes that seem to engage the attention and concern of most of the law enforcement machinery are bootlegging, "numbers," burglary and murder. None of these crimes seem to emphasize interracial distinction. As a matter of fact, there is more co-operation and understanding between the destructive element of the two races than is correspondingly true of the constructive element. The negro and the white man who may be strangers in other departments of their culture, become partners in crime.

Take the "number racket" as an illustration: It is well known to the police department and the solicitor's office that the higher ups in the number game are not negroes. There may be one or two negroes occupying fairly prominent positions in the business, but the real "number bankers" are not negroes. The negro undoubtedly has his quota of "number writers" and players who are in close and intimate contact and co-operation with the

white overlord and pick-up men. The bootlegging industry represents a parallel to the "number racket." There are a few small distilleries controlled by negroes, but the real wholesale bootleggers are not negroes. The majority of negroes connected with the bootlegging industry are retailers who are working in closest co-operation with the manufacturers, who are not negroes. That is, the outpost division is very largely peopled by negroes. The danger or hazard involved in the industry increases in exact proportion that the dispenser gets from the base of supply. The negro retailer runs into the clutches of the law with much more frequency than the white wholesaler. Nevertheless they are working together.

The police department is asking for an extra appropriation to stamp out this evil. Homicide among all the people in general and the negro in particular is alarmingly high. From every point of contact, negro life is made relatively cheap. As long as officers can shoot a fleeing negro in the back in self-defense and be exonerated, negroes will be tempted to take each other's lives on the slightest pretense, since negro life is of so little consequence in the eyes of the law. The number of negroes who commit crimes of different character and completely escape apprehension is very large.

As long as negroes are identified in this manner with all types of crime, crime can never be stamped out of the city of Atlanta through white officers alone. It has become of historical acceptance that wherever negro policemen have been employed the percentage of crime among negroes has been radically reduced and the percentage of arrests of negroes for committing crimes has been correspondingly increased. In the states of Texas, Florida, Tennessee, Kentucky and Oklahoma, there are many cities employing negro policemen. A great many people have offered as a reason for not employing negro policemen and plainclothes detectives in Atlanta, that Atlanta is in the south. Such persons are undoubtedly ignorant of what is being done in other cities in the south. You can't go any further south than Tampa, Fla., unless you step off in the Gulf of Mexico. In the last analysis it isn't a question of geography, it becomes a question of social justice.

If the city of Atlanta is really in earnest about outlawing the "number racket" and stamping out crime in general, one is puzzled to understand why it would not employ the most effective available resources to this end. The majority of arrests made for crime in negro communities at present result from information given to policemen by negroes. Many negroes who frequently withhold information from policemen with reference to the whereabouts and identity of criminals do so because they fear that the policemen will manhandle and brutalize the offenders unnecessarily and unjustifiably. On the other hand, if they were sure that the person would be simply put under arrest and taken to jail, they would give out information without hesitation. Negro policemen and detectives would have instant entry to the negro community, which it is impossible for a white policeman to get under the by-racial setup characterizing our civilization in this community.

In the interest of a more law-abiding community, the Bulletin would urge the employment of negro police-

ment and plainclothes detectives not only in the interest of crime reduction but in the interest of citizenship rights that are due any group of taxpayers who support our government. The anti-lynching bill apparently has been defeated, so far as the present senate is concerned. The opposition registered on the part of southern lawmakers was based upon a fear that the federal government would usurp state rights. These senators put themselves in a rather paradoxical position: At the time they were protesting against the government interfering with state rights and asking that states be left alone to handle their own problems, they were asking the government for an appropriation of the taxpayers' money to be spent in these several states for relief and unemployment. Much of that money has been paid or will be paid by people who were to become the largest beneficiaries of this piece of protective legislation.

Woman Attorney Wins Acquittal For Negro Youth



MISS MARY ROGERS

Miss Mary Rogers, one of the first women attorneys ever to act as leading counsel for a defendant in a murder case here, yesterday won an acquittal for Del Wood, teen-age Negro youth accused in connection with the knife slaying of George White, also a young Negro, in Pleasant Hill last March 10.

Wood was accused of having stabbed White fatally after the latter had handed him a pistol at the former's command. The defense contended the youth plunged the knife into White's chest while the victim was snapping a pistol at him. Miss Rogers, who was assisted in

the case by Oliver C. Carter, was admitted to the bar several months ago. She is a daughter of Robert Rogers, Bibb deputy sheriff. It was Miss Rogers' first "big case."

Members of the jury retired about 1:15 p.m. yesterday and the verdict was reached a little more than three hours later.

Prison Conditions Result In Dismissal Of Two Wardens

The Savannah Tribune
Deploable Conditions Were Found In Chain Gangs
Camps of Two Counties

STATE INVESTIGATION DISCLOSES CRUELTY

Steel Collars and Spiked Anklets Used In Some Camps In Heard and White Counties

Atlanta, July 12—Governor Talmadge yesterday ordered the dismissal of two convict camp wardens after they found spikes were fitted to the ankles of prisoners. The committee charged the warden rapped the convicts on the head with blackjacks. Conditions in several chain gang camps were so bad that the fugitive Robert Elliott Burns' views on them in his book "I Am a Fugitive From the Chain gang." is mild in comparison.

The wardens ordered dismissed by the governor are Warden H. B. Smith at Franklin, Heard county, and Warden J. C. Robertson in White county.

A bookkeeper, listed as H. N. Hall employed at a camp near Eljay also was understood to be slated for dismissal on charges of inefficiency.

Burns, who wrote a book about what he claimed he found before he escaped from a Troup county camp where he was serving a term for burglary, later was arrested in New Jersey as a fugitive but the governor after a hearing, refused his extradition.

Conditions in some of the camps with particular reference to Heard and White counties, were described in the report as "very deplorable."

In Heard county the commit-

FOUL PLAY SEEN IN NEGRO'S DEATH

Macon Telegraph
Body of Man, Missing for Year,
Found Near Mountain in New Mexico Sunday

AUGUSTA, Ga., Aug. 5 (P)—Death which New Mexico officers are investigating as murder, ended the trip a year ago from Los Angeles, Cal., to Augusta, of T. T. Cartrell, Negro, whose body was reported found near Tortugas mountain in Dona Ana county, New Mexico, Sunday, information obtained here today revealed.

Cartrell, according to Sheriff M. Gary Whittle, of Richmond county, had written Watson Sutton of Tignall, Ga., a relative, and Rev. Edward Bowdry, a friend here, that he was coming to Augusta and asked them to meet the Greyhound bus on a date early in July last year.

It was understood that he was coming to Georgia to see Sutton and other relatives. Sutton and the minister met the bus, but Cartrell was not on board, and the driver knew nothing of him. They made inquiries and found the luggage, containing clothing and other personal articles of Cartrell had arrived on the bus.

The bus officials held the luggage, pending the expected arrival of Cartrell. After several days had

son, George Cartrell, who is employed at the University hospital here and they have learned that the dead man's wife, Bessie, lives in Los Angeles.

elapsing and nothing was heard from the missing man, Sutton reported the matter to Sheriff Whittle. The sheriff went with Sutton to the bus station and assisted him in getting possession of the baggage, which was said to have contained some articles belonging to Sutton. Officials here said Cartrell has a

Libel Suit Filed

By Negro Friday

Seeks \$2,500 Judgment Against

E. Tris Napier

A petition seeking a \$2,500 judgment against E. Tris Napier for libel, credit damage, attorney's fees and punitive damages growing out of alleged extortion from John Jordan, Negro, was filed in city court yesterday afternoon.

Attorneys of the Negro—the law firm of Smith and Smith—allege in the petition that Mr. Napier and the company of which he is sole stockholder secured payments from the Negro \$172.45 in excess of a \$662.99 loan made March 9, 1928, and then advertised the plaintiff's property which had been mortgaged to secure the original debt.

Advertisement of the property forced Jordan to employ legal counsel, his attorneys allege, and constituted libel, damaging the Negro's credit and forcing him to incur attorneys' fees.

Macon, Ga., Telegraph
January 24, 1935

CRIME AMONG NEGROES

To the Editor of The Telegraph:

It is alarming to see just how many crimes are being committed in our group. Last year there were thirty-seven murders, homicides and suicides in Macon and Bibb county. The murderers consisted of men and women of almost every age. Human beings were cut and shot down as though they were no more than animals.

Just a few days ago three persons met death as the result of cutting and shooting affrays.

It is clearly demonstrated that the officers of the law, alone, cannot cope with this situation. Ministers, religious teachers and all social organizations will have to blend their forces to quell the spirit of bloodshed.

It was once said that all of these crimes were committed by the basely ignorant of our group and it is a fact that a major part of them are those who have a low degree of intelligence and yet some of them consist of what many call the trained people.

Something has gone wrong with my group for the last two decades and the time has come as stated above, when race leaders must bestir themselves to save our people from the mighty fall for which we are headed (without a change).

We hear much about organizations for bread earning. The whole country is stirred over this thought but it should not be forgotten that no race of people can be saved by bread alone. It is to be admitted however that poverty, hunger, and ignorance do lead to crime and unless we have moral and spiritual development along with

our material and intellectual attainment, we are lost, world without end.

The very youth of today is filled with the idea of crime. Let us repeat with emphasis that there is no hope for any individual or race that loses its moral standard and disrespects God and the holy Sabbath.

May God send a holy statesman to lead us out of this chaos.

J. T. SAXON.

Macon, Ga.

PENSIONS' AND COVETOUSNESS

Macon, Ga., Telegraph
January 24, 1935

Slum Clearance and Crime

J. T. Saxon, one of the most thoughtful and useful leaders of the Negro race in this section, has an important communication in the letter column of The Telegraph today. The letter is written around the stories of murders, homicides and suicides among his people during the past year—thirty-seven in number, and involving as he says Macon men, women and children of varying age.

The killings referred to were purely racial, Negro against Negro.

What can be done about it is the important question. The Negro by nature is a peace-loving, friendly individual, unless improperly environed. He is a great imitator, and he has striven to emulate the white race, whether this was always wise or not. A bad white man can lead him astray as easily as a good white man can influence him in the right direction. The responsibility of the white race is therefore instantly apparent. The example is important.

Unfortunately for all of us the white man's environment is not always ideal, and the lessons he learns are not altogether wholesome. The Negro learns some lessons from white people that might have gone unlearned.

Thinking along this line was doubtless the cause of the slum-clearing dreams of President Roosevelt. In the slums or in degraded surroundings the submerged tenth of human society ekes its reckless, irresponsible existence; and from there its influence spreads until the higher strata of society feel the effects. Even a drop of impurity is not good for the bucket of water; and human society is inter-related. No one lives entirely apart. The impure hurts beyond cure. The good water cannot make the bad water good. But the bad water can make the good water bad.

Probably nothing nobler was evolved from

the New Deal than the effort to replace the the New Deal than the effort to replace the slums with fit habitation for man. Back alleys slums with fit habitation for man. Back alleys and dives and hovels all go with the slums. Right here in Macon thousands live in circumstances and surroundings that are unworthy of civilization. From those places come thousands of young people who regard the constructive and peace-promoting forces of society as their natural enemies.

As long as slums thrive crime will be with us; and probably longer; but the first cause is environment.

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race of people can be saved by bread alone. It is to be admitted however that poverty, hunger, and ignorance do lead to crime and unless we have moral and spiritual development along with our material and intellectual attainment, we are lost, world without end.

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J. T. SAXON.

Macon, Ga.

Negroes Get 20 Years In Atlanta Robberies

Craymon Dolin and James Mills, negroes, were given 20-year sentences Friday by Judge C. W. Worrik when they pleaded guilty to four counts of robbery.

The negroes admitted holdup robberies of Pete Mitchell, an employee of Fulton Bakery Company; R. L. Goodman, Dr. W. S. Betts and C. R. Williams, in which small amounts of cash were obtained. The holdups occurred during the Christmas holidays.

THREAT TO TALMADGE LANDS NEGRO IN JAIL

William Elbert White, a 38-year-old negro, was arrested Monday morning by detectives and charged with being the author of a threatening letter which was sent to Governor Talmadge February 6.

White was postponed until this afternoon because of the inability of Assistant General Lindley W. Camp, representing the governor, to appear in recorder's court Monday afternoon. Detectives booked White on a disorderly conduct charge. They said he wrote the letter threatening and criticizing the governor and signed his brother-in-law's name to it. The handwriting was identified as White's by the negro's wife, it was said. Detectives J. J. Chester and Bill Holland made the arrest. White denied he sent the letter.

NEGRO IS FINED IN ASSAULT CASE

Johnnie Walker Found Guilty of Striking White Man Near Broadway Dive

Described by police as a "bad" Negro, Johnnie Walker, of Philadelphia and 122 Paradise alley, was heavily fined in recorder's court yesterday as a result of an alleged assault on Joe Modena, white man, living at 154 Broadway.

Eight other Negroes arrested in a police raid at an alleged Negro "dive," 121 Broadway, were also fined. Pearl Brown, Negroess, alleged operator of the "dive" obtained continuance in her cases until today.

Recorder M. Felton Hatcher complimented the officers for "cleaning up one of the worst dives in Macon."

Mr. Modena and other white residents of the neighborhood said that loud curses and shouts from the large crowd of Negroes congregated in the Brown woman's house each night kept them awake until about 4 a.m.

While Mr. Modena and two women were in a car in front of the Modena residence Walker and some

other Negroes passed, speaking loudly, cursing and using "disgraceful language," it was testified. When Mr. Modena warned the Negroes against such conduct Walker turned on him, struck him on the face and put his arms on his neck. Mr. Modena said. The white man was not seriously hurt.

Officers said that they had to beat Walker on the head with blackjacks to subdue him. Walker's fines on charges of disorderly conduct, resisting arrest and loitering in a dive, totaled \$37.25 or 75 days. The other Negroes were fined \$10.75 or 21 days for loitering in a dive.

MAN IS ATTACKED, NEGROES IN JAIL

Modena Assaulted Near Broadway Home; Accused Assailant, 10 Others Are Held

An alleged assault on a white man by two Negroes last night led to a wholesale raid by police and detectives on a Broadway Negro house, 11 arrests and the docketing of 13 cases, including operating and loitering in a disorderly house, disorderly conduct and resisting arrest.

Johnnie Walker, Negro giving his address variously as Philadelphia and 122 Paradise alley, was identified by Joe Modena, white man, as one of those who beat him. Walker, in allegedly resisting arrest, was beaten on the head and treated at the Macon hospital, two stitches being taken in a laceration.

The other assailant is thought to have escaped before police raided. These 13 cases brought to 19 the number docketed by the desk sergeant between 8 and 9 p.m. last night.

Mr. Modena reported to police that he was parked in front of his house, 154 Broadway, with a woman companion in the car with him when two Negro men and two Negroesses came out of an alley nearby, using profane language. He told them to stop, he said, and the two men pulled him out of the car and attacked him.

All four then ran into a house occupied by Pearl Brown, Negroess, of 121 Broadway, he reported, taking his hat with them.

Detectives W. W. James and L. B. McCallum and Call Officers J. V. Stewart and John I. Beck raided the house, rounding up 11 men and women.

They said Walker reached for his pocket and, expecting him to pull a weapon, they struck him.

He was charged with disorderly conduct and resisting arrest, as well as loitering. Pearl Brown was charged with operating a disorderly house, others with loitering.

Mr. Modena was not badly hurt, on the records at Grady is that six of them have been performed by the treatment.

Two Knife Victims Alive at Grady After Delicate Heart Operations

By RALPH T. JONES

There are two men in the same ward at Grady hospital today who have been stabbed through the heart. The wounds have been sewn together and chances are both will live. If they do they will join four other men who have undergone the same experience and who are walking about Atlanta, going about their daily routines today, thanks to the skill of two Atlanta surgeons.

One of the two men in Grady today, John Lawrence, negro, is practically recovered now. He was stabbed some 10 days ago and the wound over his heart, the incisions made by the surgeons during their operation, are healing nicely. He is comfortable and contented, worried only because he lost a wrist watch and a package of cigarets when he was stabbed.

The other, Warner Green, negro, stabbed late Sunday night and operated on at midnight Sunday, may or may not live. Monday afternoon when asked how he felt he answered "good," but his voice was a mighty weak whisper.

Six Cases Still Alive. Since this method of closing cuts actually in the heart has been perfected, 11 such cases have been treated and six are alive today. The first case occurred in 1928 and there have been six since last November.

Of the five who died in only one case was it the operation which caused death. The other four succumbed to infection because the knife with which they were stabbed was dirty. It is impossible to do anything about this and no matter how successfully the wound in the heart is sutured, the infection will kill the patient in a few days.

As one of the surgeons explained it, if the stabbers would only sterilize their knives before using them practically all cases could be saved—provided they reached the operating table at Grady hospital quickly enough.

All 11 cases so far have been negroes. Not because the same operation is not available for white people stabbed, but because there hasn't been a white case with a stab wound in the heart since the operation was perfected.

Stabbings among negroes run probably 25 to 1 in proportion to those among white people. And, of course, it is in only a certain percentage of knife wounds the heart is penetrated.

There is a special canvas container at Grady containing all the necessary tools for this wonderful operation. When a heart-stabbing diagnosis is made, the surgeon's instruments are all ready, arranged in proper order, in this container and it is brought to the operating room ready for immediate use.

A striking feature of the 11 cases on the records at Grady is that six of them have been performed by the

same operating "team," consisting of one of Atlanta's best-known surgeons and an unusually capable interne at the hospital. It is doubtful if such operations, or at least as many, have been performed in any other city.

Same Diagnosis Noted. The surgeon said Monday that all stabbings in the heart have about the same diagnosis. The victim doesn't feel any pain and goes on with his activity, walking or running, for perhaps ten minutes after the wound has been inflicted. One negro, stabbed in a Butler street alley, ran all the way to the hospital and collapsed only after he reached the outer room of the clinic.

Consciousness is restored by the use of adrenalin and other heart stimulants. The patient remains conscious and feels little pain until he is on the operating table and goes under the anesthetic.

First step in the operation is exposure of the rib above the heart. A piece of the rib is then cut away to allow ingress to the heart.

Blood Is Saved. Then the heart sack, the container in which the heart proper beats, has to be opened. This is generally full of blood which has spurted from the wound in the heart proper. It is caught in a glass container to be restored to the patient's circulatory system by the transfusion method, to lessen weakness from excessive loss of blood.

The actual cut in the heart is, naturally, spurting blood and the surgeon stops this as much as possible with his thumb until he can get the stitches in and the lips of the wound drawn together.

In order to steady the rapidly beating heart, a preliminary stitch is taken near the tip of the organ. This is drawn tight and used to lift up the heart and hold it more steady while the actual wound stitches are taken.

"Anchor" Stitch Removed. After the wound is sewn together, the preliminary stitch which was used merely as a sort of "anchor" is taken out. The heart sack is then sewn together again, the flesh is replaced over the wound, the outer skin is sewn and, barring that constant peril of infection, the patient will probably live.

Except for the fact he has permanently lost a piece of rib bone there is no reason whatever why the patient should not live his anticipated span of life, comfortable, healthy and normal in every way.

So, next time you read a piece of fiction in which it is taken for granted that a stab in the heart is necessarily fatal, remember Grady hospital and don't believe that all fiction writers know whereof they speak.

For some of the negroes alive today had stabs more than an inch deep in the center of the heart when they were placed upon Grady's operating table.

NEGROES SURVIVE HEART OPERATIONS

Atlanta Surgeons Have Operated on Six Men Suffering From Knife Wounds

ATLANTA, March 6. (AP)—Six Negroes—stabbed in the heart—are alive today, thanks to a surgeon's skill with the needle.

The sextet survived delicate heart operations performed at Grady hospital. Five others have had follow-up similar operations since the first case was reported in 1928.

Grady hospital's record came to the fore today with the news that Warner Green is improving after having his heart sewed up. He is in the ward with John Lawrence, who underwent the heart operation about 10 days ago. And John's chief worry concerns the loss of a wrist watch and cigarettes when he was cut.

Doctors at the hospital said of the five deaths only one resulted from the operation. Four were caused by infection from dirty knives used in the stabbing. The surgeon who has performed six operations of the 11 explained the procedure. The first step is exposure of the rib above the heart. A piece of the rib then is cut away to allow entrance. Blood is taken from the sack around the heart and caught in a glass container for injection into the patient's blood stream after the operation.

The surgeon stops blood spurting from the heart as much as possible with his thumb until he can close the wound with his stitches. After sewing the wound in the heart, the heart sack is closed by stitches and the outer wound is closed also. Except for loss of a piece of rib bone the patient is as good as new. Some of the Negroes going about their routine today had deep stabs in the center of the heart.

Soap, Brush, Sardines Cost Negro Four Years

Vernon Revelle, 58-year-old negro, was given a four-year sentence in Fulton superior court Wednesday when he pleaded guilty before Judge G. H. Howard to burglarizing a cake of scouring soap, a scrubbing brush and a can of sardines. The negro pleaded guilty to the burglary charge, but said that he had formerly lived in the house and entered it by mistake while intoxicated.

Tommy Ferguson, 30-year-old Stone Mountain youth, pleaded guilty to breaking into the store of C. L. Alexion at 185 Washington street and was given a similar sentence.

Crime - 1935

COURTROOM RIOT IS FATAL TO ONE

Telegraph 3-6-35
Fifty Negro Cultists Face Murder Charges as Result of Brawl in Chicago

CHICAGO, March 5 (AP)—Fifty Negro cultists who participated in a riot in women's court faced murder charges tonight for the death of a 73-year-old police official.

Judge Edward S. Scheffler, in whose court room the battle raged for 15 minutes, ordered evidence gathered preliminary to the seeking of murder indictments as a result of the death of Capt. Joseph Palczynski.

The possibility of another fatality loomed. Bailiff Phillip Brankin, 29, was in critical condition at a hospital, a bullet in his right lung. Two members of the "Allah Temple of Islam" also suffered bullet wounds. King Shah, 38, was shot in the shoulder and Zack Hassan, 32, in the foot. A score of cultists suffered cracked heads and contusions at the hands of patrolmen and detectives. A dozen officers and bailiffs were scratched, bitten, kicked and cuffed before they could toss the 31 women and 17 men rioters into cells.

Trouble Started By Women

Nine of the women members of the "Moorish order," wearing red hats adorned with crescents, were haled into court for participating in a quarrel. Judge Scheffler ordered a recess. The women went toward the rear of the room. Bailiffs told them to use the front door. The women objected. One of the Negro men in the audience arose and the riot started. Judge Scheffler called assistance.

Captain Palczynski, shaking off restraining hands, plunged into the melee. He fell to the floor. His physician, Dr. O. H. Berg, said later he had treated him for a heart ailment.

Detectives, high officials and policemen poured into the chamber. Windows were shattered, shots fired, clubs wielded, fists flayed, benches overturned. Authorities were uncertain whence came the pistol bullets, but Miss Ethel Schiller, a city prosecutor who witnessed the riot, said:

"Fifteen or 20 Negroes were trying to get out the rear door. Someone ordered them back. They surged forward and Bailiff Higgins tried to hold them off with his gun. They came on anyway. He had to fire. Captain Palczynski was slugged. I saw several men around him with clubs."

Joe's Trainer Faces Battle For Freedom

Serious Charges Follow Rumors of Fixing and Shake-down in Sensational Shooting Scrape.

FACES \$100,000 SUIT

Mother of Young Bystander Asserts She Saw Men Fire Shots that Wounded Her Child

Record 11-23-35
CHICAGO, Nov. 22.—(ANP)—Jack Blackburn, 52, trainer of Joe Louis, and William Parnell, will face charges of manslaughter in connection with the fatal shooting of Enoch Houser, 69, and the wounding, seriously, of nine-year-old Lucy Cannon, action in Felony Court last Tuesday revealed.

Following investigation of insistent rumors that "fixing" has effected the release of Blackburn and John Powell before a coroner's jury recently, State noble pressed charges of assault with intent to kill and instituted the manslaughter charge against Blackburn and Parnell.

Both were taken into custody but later released under \$10,000 bonds each. These cases were continued until December 5.

The case was continued Tuesday morning upon a motion by Assistant States Attorney Charles S. Dougherty in order that a more thorough investigation might be made. According to reports evidence has been uncovered purporting to show that the case "has been fixed". The men originally were bound over on the assault charge and released on bonds of \$1,000. The charge has now been changed to murder although Houser died from the wounds received when caught in the cross fire during the gun battle.

Blackburn and Bowman were exonerated at a coroner's inquest held by Deputy Coroner Benjamin A. Grant, its findings leaving Houser

a victim of the proverbial "unknown parties". Records of the inquest have been demanded by the State's Attorney's office. Eleven police assigned to various phases of the case are reported to be involved in the investigation which was instituted when Sheridan, a Brusseaux private detective on the case placed his findings before the States Attorney and the Crime Commission.

Report Civil Suit

Immediately following the hearing Tuesday morning, J. C. Cannon father of the little girl who is said to have been permanently disabled from the injury sustained in the shooting, announced that he would file suit for \$100,000 against Blackburn, Bowman, William Parnell and Dan Ellis and all others implicated in the shooting and that proceedings would start immediately.

Further developments have revealed that Mrs. Cannon, mother of the little girl was an eyewitness to the altercation. The Cannons live directly in front of the Bowman residence where the shooting was staged and she was sitting in her window during the affair.

Speaking to The Associated Negro Press Monday afternoon, Mrs. Cannon, concerning the claim that Blackburn was unarmed, stated:

"I saw the shooting. I know that not only was Mr. Blackburn armed and participated in the shooting but that three men who returned to the Bowman home with him were armed and shot at Mr. Bowman. As I was looking out my window watching for Lucy I saw four men come up to the house directly in front of mine and all of them had guns in their hands and began firing at Mr. Bowman who was coming out of his house. He ran behind an automobile and using that as a shield returned the fire. I saw Mr. Houser who was walking down the street fall to the street and before I could make any outcry I saw my own little girl shot down. I testified as to this at the inquest

Illinois.

so I do not know just how it could be said that either of the men were unarmed or why the police could not find any weapon.

It was stated that Mrs. Cannon became confused at the inquest when she was shown a statement she had made to the police and her testimony was discredited.

Brusseaux added that he had turned over to the States Attorney and the Crime Commission photographic evidence as to the devastating fire during the gun battle, including photographs of the front of the house and bullet riddled automobile.

Interest in the shooting which died down immediately after the coroner's jury exonerated Blackburn and Bowman has been revived and again rumors of "fixing" as well as of gentle attempts at a shakedown, are in the air. According to Brusseaux, "the investigation has just started. We are going to fight this thing to a finish. I have been employed by the Cannon family and I shall certainly work to the best interests of my clients."

The investigation is being made by Assistant States Attorney Charles Dougherty, who has also declared that every bit of evidence will be sifted and if a conviction is possible it will be secured and the proper punishment imposed. He is being assisted in the investigation by Attorney Joseph E. Clayton, who formerly represented the Houser.

Everett Houser, son of the slayer, 69, was fatally wounded and Lucy Cannon nine-year-old girl was seriously injured, was reopened here Tuesday and again became the "topic of the town" when Blackburn and Bowman were charged in felony court with assault with a deadly weapon with intent to kill. The case was continued Tuesday morning upon a motion by Assistant State's Attorney Charles S. Dougherty in order that a more thorough investigation might be made.

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PLACE POLICE ON THE SPOT; SEEK PISTOLS

Amsterdam News 11-23-35
Mother of Girl Shot Says Revolver Was in His Hand

BULLETIN New York, N.Y.
Charges of manslaughter were placed against Jack Blackburn, trainer of Joe Louis, when he was arraigned in Chicago Tuesday morning and he was held in \$10,000 bond. William A. Parnell, who is said to have accompanied Blackburn when the fatal shooting of Enoch Houser occurred, was held under the same charge. John Bowman, the other party to the shooting, was also arraigned, but the charge of assault to kill was not changed.

CHICAGO, Nov. 21.—(ANP)—The case involving Jack Blackburn and John Bowman in a gun battle, alleged to have been staged by two men recently, in which Enoch Houser, 69, was fatally wounded and Lucy Cannon nine-year-old girl was seriously injured, was reopened here Tuesday and again became the "topic of the town" when Blackburn and Bowman were charged in felony court with assault with a deadly weapon with intent to kill.

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Eleven police assigned to various phases of the case are reported to be involved in the investigation which was instituted when Sheridan A. Bruseaux, private detective on the case, placed his findings before the State's Attorney and the Crime Commission.

Report Civil Suit.

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Further developments have revealed that Mrs. Cannon, mother of the little girl, was an eye-witness to the altercation. The Cannons live directly in front of the Bowman residence, where the shooting was staged and she was sitting in her window during the affair.

Mother Describes Shooting.

Speaking to the Associated Negro Press Monday afternoon Mrs. Cannon, concerning the claim that Blackburn was unarmed, stated:

"I saw the shooting. I know that not only was Mr. Blackburn armed and participated in the shooting, but that three men who returned to the Bowman home with him were armed and shot at Mr. Bowman. As I was looking out of my window watching for Lucy I saw four men come up to the house directly in front of mine and all of them had revolvers in their hands and began firing at Mr. Bowman, who was coming out of his house. He ran behind an automobile and using that as a shield returned the fire. I saw Mr. Houser, who was walking, down the street fall to the street and before I could make any outcry I saw my own little girl shot down. I testified as to this at the inquest, so I do not know just how it could be said that either of the men were unarmed or why the police could not find any weapon."

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Bruseaux added that he had turned over to the State's Attorney and the Crime Commission photographic evidence as to the devastating fire during the gun battle, including photographs of the front of the house and bullet-riddled automobile.

Says Probe Just Started.

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finish. I have been employed by the Canon family and I shall certainly work to the best interests of my clients."

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it will be secured and the proper punishment imposed. He is being assisted in the investigation by Attorney Joseph E. Clayton, who formerly represented the Housers.

Everett Houser, son of the slain man, stated that the investigation by Clayton and Bruseaux was without the sanction of the Houser family and that those who had reopened the "terrible affair" were working on their own. When the defendants were exonerated at the inquest, as far as their family was concerned, the matter was closed, he said, and for that reason Mr. Houser did not seek to have the men arrested. Mr. Houser denied that there had been any financial settlement.

The bullet striking the Cannon child entered one hip, passed through her abdomen and emerged from her body at the other hip. Her parents fear she is permanently injured.

Inter-Church Council To Hold Symposium On 'Crime'

That the moral, social, religious, and economic low ebb of the community is caused by five major vices will be set forth by ministers representing all denominations in a symposium to be held Sunday, November 24, at 3:00 p.m., at the Metropolitan Community Church, 41st and So. Parkway Boulevard.

The symposium will bring a large crowd of the laity from all denominations. It will mark the first of a series of periodical mass meetings sponsored by the Inter-Church Council in the educational phase of its current campaign against community crime.

Interesting Speakers

A cross section of opinion setting forth the pros and cons of gambling, taverns, prostitution, banditry, and juvenile delinquency will be given by the speakers, the Reverends W. L. Lidell, H. B. Hawkins, H. E. Syewart, J. H. L. Smith, J. C. Austin, H. M. Carroll, L. P. Powell, W. M. Webb, and others.

Public Talks Back

Opportunity for the expression of public opinion will be given following the analysis of each speaker directed by the master of ceremonies, Rev. Richard C. Keller, religious editor of *The Chicago Defender*. Interspersing the discussion periods, music will be rendered by representatives of the Union gospel choir under the direction of Prof. Thomas a Dorsey, and a galaxy of outstanding soloists. The public is cordially invited.

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Superior Court Judge May Submit Case To Special Grand Jury Soon

BOYCOTT GROCER

Retaliate For Refusal To Tell Truth to Grand Jury Expense Drive Started

SOUTH BEND, Ind., May 31.— (Special) — Public resentment at the failure of local constituted authorities to make any gesture in the direction of justice in the alleged atrocious shooting of a helpless colored boy by a police officer is rapidly reaching the proportions of a political tornado, a survey of the local situation shows today.

Economic boycott, threats of political reprisals, and manuevers to secure judicial redress are projectiles being massed for an attack by an aroused public, enraged at the brazen refusal of the St. Joseph county prosecuting attorney George Rulison to present the evidence of the alleged unwarranted shooting of 18-year-old Arthur Owens by Patrolman Fred Miller nearly two months ago, to the Grand jury with his approval.

Reds Active

Great apprehension is being felt by both white and colored leaders of the community over the gravity of the situation which they say has been aggravated by the activity of Communists.

Numerous meetings which it is believed are designed to inflame the colored population are being staged by alleged "Reds", who are urging colored persons to demand equality of justice.

At one meeting attended by nearly 700 persons, Communist speakers are said to have asserted during a scorching attack on white oppression of colored workers, that they (Communists) were ready to shed their blood along side of Negroes in their fight for right and justice. On good authority it was learned the great majority of those attending the meeting were heavily armed. No attempt was made by police to interfere.

Bloody outbreaks between the races are not unexpected.

Shot With Arms Raised

Fourteen eye witnesses to the shooting of Owens April 9 by Miller are unanimous in their statements that the officer shot the youth as he stepped unresisting from an automobile with hands raised in obedi-

dience to the officer's command to halt. The officer said he suspected the car of having been stolen.

The first wave of public indignation was smoothed with a promise by Mayor George F. Freyermuth that a thorough investigation would be made and such action warranted by the facts developed would be taken.

Say Prosecutor Is Prejudiced

An affidavit charging Officer Miller with voluntary and involuntary manslaughter was signed by Lafayette Owens, uncle of the boy slain, and presented to Prosecutor Rulison. Despite the fact it was known to him that there were fourteen eyewitnesses to the shooting, Mr. Rulison refused to approve the matter to the grand jury. Citizens reported a further offense to the dignity of their race when the prosecutor frequently referred to Owens' companion as "darky".

First reaction to the failure of the grand jury to return an indictment was made by leaders of the Citizens committee who sought to secure a mandamus to force action by the prosecutor, the effort quickly subsided, however, when it was pointed out that under the Indiana statutes the approval of affidavits is discretionary with the prosecutor and in the event he fails to give such approval, the affidavit becomes null and void.

May Use Other Methods

Probability that the impasse created by the refusal of Mr. Rulison to follow what citizens call his "clear path of duty" will be removed was seen in the announcement by Judge J. Elmer Peek, Superior court, under authority granted him by a law enacted by the 1935 legislature, publication of which is expected momentarily, he would present the charges against the police officer to a special grand jury for action. Judge Peek also said he would see to it that colored people were represented on the jury.

Leaders of the Citizens committee are considering as a last resort, an appeal to Attorney General Phillip Lutz.

Judge Charles H. Wills and Attorney J. Chester Allen, who have taken prominent parts in the organized effort to bring the offending officer to justice, declared that the failure of the grand jury to indict was treacable to the blind prejudice on the part of the prosecutor.

Stage Boycott

Feeling among colored people of the city has reached a high pitch. Their keen resentment of the refusal

of Benjamin Tyczynski, the white manager and owner of a grocery store, who was an eye witness, to testify to the facts has led to a boycott by the colored people who practically support the store. It is located at 1604 Liston street, in the heart of a colored neighborhood. The boycott has been organized and directed by the Sanhedron club. They charge the shooting occurred in front of the store and the foreigner was standing in the doorway at the time.

600 Attend Benefit

Money to carry on the prosecution of the case is being raised by popular subscription. A large amount was raised May 24 when more than 600 persons crowded the Sunset Inn to attend a benefit ball sponsored by the Colored Men's Democratic Club of St. Joseph county.

The audience gave frequent signs of positive approval of the protest by vehement applause that punctuated speeches by Mrs. A. T. Stanley, president of the Civic Improvement league and Judge Charles H. Wills. Otha Lee Hill, chairman of the arrangements committee announced that the meeting place had been donated by Mrs. Irene Boswell, proprietress, with music furnished by the "Paradise Night Owls".

Kansas.

Crime - 1935

Kansas Habitual Statute Is Upheld

TOPEKA, KAN., Dec. 7. (P) — Three hundred and eighty convicted habitual criminals, marshaled behind the appeal of a negro chicken thief, looked toward Washington tonight in the hope for freedom from life imprisonment.

The Kansas Supreme Court today upheld constitutionality of the State law, under which the 380 men are in prison or life. Miss Lillie Knight, attorney for Ed Levell, the negro, said she would take his fight against life imprisonment to the United States Supreme Court.

Levell, 31, was sentenced to life after his conviction on a chicken theft charge when it was learned his record showed two previous prison terms. Among the 379 other "lifers" are several whose third offense involved minor thefts.

The Kansas court ruled the habitual criminal statute was "not subject to any constitutional or other infirmity which would render the sentence and judgment" of Levell.

Miss Knight contended the law was void because it failed to require the indictment to show previous offense, thereby depriving the defendant of opportunity to answer the charges.

Under the law, patterned after the Baumes law of New York, conviction of a second offense brings the offender a double sentence. A third conviction automatically brings life.

OUR OVER ZEALOUS POLICE

Chronicle
POLICE officers are not selected because of their potential physical strength, gruffness or lack of forethought. They are selected because of their intelligence and willingness to cooperate with the citizenship. In reality our police force should depend chiefly upon their brains and that is what the majority of them seem to do. On the other hand there is a minority that misinterpret orders, offend the public and make themselves general nuisances. It is with this latter group that we desire a few words publicly. *5-25-35*

On Fridays, Saturdays and Sundays hundreds of white men and women come into the South End to dine at Slade's Barbecue, to secure his famous 50c chicken dinner. In all of the time that they have been coming there has never been any difficulty between the groups, which is an indication that whites and Negroes are quite used to each other in this section of the country. *Boston, Mass.*

Now there is some question as to whether or not the attitude of the police toward these customers is deliberately going to cause trouble and ultimately ruin business. An indication of what we mean was the wholesale arrests last Saturday night for no reason whatsoever. Over 100 persons were swept into the patrol wagon and carried off to station 10 and booked supposedly on the charge of drunkenness. In these raids the police made it their business to grab everybody within a certain radius and push them into the wagon irrespective of whether they were merely lookers on or not. In one such swoop they grabbed a youngster who had come with his older brother to eat at Slade's and whose only offense was looking. But in this case they missed their cue for it was not long before a cruising wagon came from another precinct and took the boy away from Station 10 where he never should have been in the first place.

We cite this case to show how utterly irresponsible the police are in these arrests and because this happened to be one person they could not play such antics on . . . but there are hundreds of ordinary citizens who have no such protection and do not care to be arrested in their quest for a meal they can pay for.

We do not believe that the Captain of Station 10 countenances such lack of judgment on the part of his officers and most assuredly the Police Commissioner does not. These kind of tactics offend customers, ruin business and defeat normal business recovery. No doubt these officers feel that they are preventing possible trouble but the shopkeepers and citizens feel that they are encouraging difficulties. No, we do not want disorder, but intelligence and forethought will be far more effective in eradicating this possibility than arresting everybody on Tremont St. between Hammond and Northampton.

THE POLICEMAN'S GUN

Chronicle *8-31-35*
At this moment we are trying not to feel like the mother of the unfortunate youth of 17 summers who was shot down and killed by a Roxbury policeman who mistook him for a fleeing bandit. They say he was in a stolen car, but in this so-called civilized world that offence is not punishable by death. This brings us to the policeman and his gun. Like the authorities, we completely exonerate the officer in question for he was strictly carrying out his duty. He had been called to the scene of an armed hold-up. Men with drawn guns had robbed a merchant and his wife with violence and were in the act of escaping. The hapless boy, thinking that the police were after him for the stolen car, sped away as they arrived. Someone shouted "There they go!" and the police took up the chase which ended when a well-directed shot pierced the rear window and killed the youth at the wheel. *Boston Mass.*

The thing that worries us is that we or any other law-abiding citizen may have been in the vicinity of the robbery. We may have been unaware of it, and, in the act of driving off, an excited onlooker may have shouted "There they go!" In that case we may have been lying in a cold grave instead of writing this, and a million regrets from the authorities would not bring us back to life.

The question next arises in our minds as to whether the police should have absolute power to kill without much fear of being held to account. In our opinion, it is this knowledge of the part of the criminal that makes him, too, arm himself so as to have an even chance with the cops.

Looking abroad, we learn that the Metropolitan police of London, England, carry no firearms and yet they have less crime and fewer acts of violence than we have, comparatively speaking. If a policeman surprises a thief in London, the latter takes to his heels; he knows he can escape if he is a better run than the bobby. If an American policeman surprises a thief, the latter immediately shoots it out with the officer because he knows it is his only chance—he cannot outrun a bullet.

We make the suggestion that police officers should be instructed to use their guns only in self-defence or in cases where the lives of citizens are threatened, but certainly not in instances where criminals are running away, especially when their exit lies through crowded thoroughfares.

We are of the considered opinion that if the police in this country used their brains more and their guns less we should have less crime and a more effective force. We cannot help but think of the unarmed London bobby and the matchless Scotland Yard.

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Michigan.

SOUTHERN JUSTICE IN DETROIT

By GEORGE MORRIS

HAVING just finished an odd job at a neighborhood garage, William Turner, a young Negro, stopped into his mother-in-law's house to see if his wife was there. Not finding her there, he grabbed a sandwich and started for home.

He walked down Livingstone Street munching the sandwich and turned into Revard Street, where he passed by the front entrance of Fire Station Number 30. Suddenly a glass full of water was emptied upon him by one of the two white firemen standing in the doorway.

"What's the big idea?" he asked as he turned to the two firemen. "Don't you like it, Nigger? I'll shut and lights were put out. Sud-

do it again," said the first fireman. He approached the Negro boy and side. It was Turner. The crowd swiftly thrust his fist into Turner's face. Turner was only 22, and weighed 149 pounds. He saw another fireman in the doorway and knew there were others inside. But he was not the kind to take it lying down. He hit back. The fireman knocked him down, but Turner soon had the fireman down and was getting the best of the fight. Meanwhile, the second fireman rushed inside and was out with a club and other firemen after him. Turner caught the club over his right eye and blood started gushing down his face. At least four firemen dragged him into the station and rained blows upon him from all sides. Turner fought back gamely.

By that time, Bob Hardeman, Negro owner of a tire and repair shop across the street, who had watched the affair from the beginning, walked in.

"You fellows ought to be ashamed of yourselves, ganging upon the boy. He didn't do a thing," he said as he eyed the pack of cowards. "Come on, boy, let's get out of here, they'll kill you."

He took Turner by the arm and escorted him across the street to the front of his store.

"Stand over here until the law comes. You done nothing. They'll take you to the hospital."

TURNER stood waiting for the "law" and it came in about three minutes. Hardeman recognized a policeman named Blare whom he knew personally. That

ought to help, he thought, so he called him over and told him that the boy hadn't done a thing, and asked Blare to take charge of him. Several more policemen came over and "took charge" of Turner. They arrested him and immediately took him into the fire station. Meanwhile, it looked as though the whole Negro neighborhood was converging upon the firehouse. That's the way things are in the Hastings Street district. Resentment against race discrimination and the misery forced upon the people there has grown to such a great mountain that it doesn't take much to bring down an avalanche.

The policemen began chasing the crowds. The fire station doors were shut and lights were put out. Suddenly a cry for help came from inside. It was Turner. The crowd became restless. Shouts arose from all sides.

"Stop killing that boy!" "You'd better bring him out alive!" Several in the crowd discovered a back window looking into the kitchen where a light was shining. Some jumped into the yard while at least a score of others found a good vantage point on a second story porch from which the house facing the window, and only about ten feet away. And what a sight! Turner was lying on the floor handcuffed. A policeman stood over him with one foot pressed on Turner's neck, just as you keep a hog down for slaughter. Several policemen and firemen in the room were kicking him from all sides. "Any other fireman want to get at him?" the policeman over Turner was heard shouting.

Among the spectators who tried to peek into the kitchen window was an elderly woman. When she looked in she cried out.

"It's my son-in-law! They are killing him!" Into the window, she begged, "Please don't hit him. He is my son-in-law. He never did anyone any harm." Then turning to several people around her, "I'll have to do something. I'll have to bring the law down here."

"Lady," one of the Negro workers answered, "Who will you get? The whole law is down here now."

WHEN the policemen and firemen were satisfied that Turner had got "what's coming to him," and enough police arrived to clear the large crowd, Turner was

dragged out in a semi-conscious condition and shoved into the police wagon. As he was being placed in the wagon, a policeman could not resist the temptation to take another whack at his legs with a club.

The crowd of about 3,000 Negro people was thoroughly incensed. A race war was averted only through the timely action of Communist and sympathizers, who pointed out like hawks, lest anyone as much as organize a protest to the city administration. Crowds besieged the closed fire station late into the night.

Turner, in the meantime, had been taken to the receiving hospital, the gash over his eye stitched up, and he was sent through the tunnelway to jail.

"Who's this guy?" asked the 250-pounder who was sent to escort Turner to jail.

"That's the nigger who caused the riot."

"So yo-u-u-re the guy!" Bang! Right in Turner's face.

Next day Turner was placed on bond, charged with assault and battery. The International Labor Defense was on the spot. A neighborhood committee was already on the job raising the bail. A jury trial was set for September 13, and that's when the story began to unfold. Eye-witness after eye witness came forward and reconfirmed the details during the five-day trial. It is rarely that a case in court was supported by evidence so clear and beyond a reasonable doubt.

But the firemen and policemen, any who should have been on trial instead, had also prepared their case. They knew that if the Negro boy were convicted they would be on the spot themselves. The only witnesses they could get were themselves. A story was concocted that Turner had simply walked over to fireman Pierce, had kicked him and knocked him down. Pierce had simply tried to tear himself loose while the other firemen looked on. But how did Turner come to require stitches and other treatment?

That was easily answered. The arresting officer said he had taken Turner to the kitchen. There Turner challenged him to a fight and he had accepted the challenge.

Turner's defender was Maurice Sugar, one of the foremost fighting labor attorneys in the country. Under his questions, both firemen and policemen were enmeshed in a network of contradictions. Their crude

dismissal and prosecution of the guilty firemen and policemen, plus the placement of Negroes on the fire force, etc., has already been signed by several thousands. A committee of Negroes, elected to see that the fight for Negro rights was a "Goddamn liars," that every-fighter. Every time Sugar scored something was "in order in the Negro re-neighborhood," and that they "were sent by white people."

The verdict on the Turner case has jolted many organizations of Negroes and whites to act more quickly and put more power behind the fight. The case will be fought to the limit. Thousands will demand to know if a blackskinned witness is a liar, even if he tells the truth.

The prosecutor had a weak case. All he could do was to hint at the doctor all witnesses for Turner were fact that with the exception of the black.

"It is your duty," he told the jury, "to discover if the witnesses have not COLORED the case."

Sugar's summary was one of the best he had ever made in similar cases. For a long time afterward you could hear remarks like: "Wasn't that some speech!" "Didn't he tell it to 'em!"

Sugar covered everything. He showed what it meant for a Negro to as much as protest an assault by a white man. He commended Turner for having shown such a fine example, for having stood up and fought.

While the jury was out there was very little speculation. There seemed no possibility that the verdict could be guilty.

There was only one possibility that Turner would be convicted and that was if the ten white women and two white men on the jury were completely saturated with the poison of race-hatred. This was all the prosecutor banked his case upon. AND THAT'S THE KIND OF A JURY IT WAS!

After two hours they came out with a verdict of Guilty.

The judge immediately administered a sentence of 30 days.

THE eyes of the Negro population of Detroit had been set upon that trial. Much more than Turner's liberty for 30 days was at stake. The treatment given Turner symbolized to them the economic, political and social treatment given the Negro people as a whole.

During the month since Turner's arrest, protest meetings have been held, and a petition demanding the

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Mississippi Governor Holds Informal Court For 150 'Forgotten' Convicts

MISSISSIPPI PENITENTIARY
PARCHMAN, MISS., March 25. — (P) — An informal "court of mercy" presided over by Gov. Sennett Conner today began to review the cases of 150 "forgotten" convicts about whom the "free world" knows little.

Word of the "mercy court" spread rapidly among the 2,700 inmates and sergeants were deluged with requests from hundreds of prisoners for permission to speak to the Governor about their cases.

Each of the 150 whose cases are scheduled for review by Gov. Conner and two aides, Prison Superintendent O. G. Tamm and Dr. J. M. Acker, superintendent of the State Hospital for the Insane, firmly believed they would be set free as quickly as they had an opportunity to talk with the Chief Executive.

Few realized that each case was to be closely scrutinized by the Governor after he leaves the prison.

First to greet the "court today was an 11-year-old negro boy, Jabbo Dean, of Philadelphia, Miss., who with his brother, Pratt, 12, is serving a sentence for grand larceny.

The Governor evidenced astonishment when he dug into the boy's case.

"We get no reports on commitments, and these boys could have been here for years and I not know it," he exclaimed.

Jabbo unhesitatingly admitted breaking into a house in Philadelphia with his brother and stealing a bag containing \$90. He said they were "told to do it" by a man who they said gave them 10 cents as a "reward."

"What are you going to tell that man if he asks you to do it again," the Governor asked.

"I'll tell him to get it himself," came the quick reply.

"Did you ever hear about God?" was the Governor's next question.

"Yes sir, he's a good fellow."

"Did you ever hear about the devil?"

"Yes sir. He burns you up when you are bad."

"Why do you want to get out?"

"I want to go home and see my mammy," the negro answered.

It was disclosed there are 150 convicts who have been here for 10 years or more, and in most of their cases not even a letter has been filed interceding in their behalf, nor have they written any Governor seeking executive clemency.

The oldest of these is Eugene Manny, who was received Aug. 2, 1906, from Madison County to serve a life sentence for a statutory offense.

Manny insisted during the review of his case that he was "in for murder," denying he was charged with a statutory offense. However, he added that he was "willing to let it go at that if you say so, just so I can get away."

Each statement made by a "forgotten" convict is recorded by a stenographer and

will be attached to the prisoner's record for final review by the Governor when he returns to the Capital.

The "court" is scheduled to sit again tomorrow.

Holdup Cranks, Victim Speeds, Money Is Recovered, Negro Dead

Special to The Commercial Appeal.

COLUMBUS, Miss., March 27. — state capitol. The men included 11 negroes and four whites.

An "obliging" negro holdup man was dead today, the victim of a 3-year-old bullet fired at him by no new clothes, leaving the penitentiary in their prison denim.

Mike Parra, Columbus business man, whom he robbed on a highway a few miles south of here.

Mr. Parra told police that he was just leaving the city in his car when a negro asked him for a "ride" down the road. They had gone only a few miles when the negro whipped out a pistol. Obediently, Mr. Parra turned over his wallet. At the same time, he managed to stall his car.

"Crank it for me, will you?" he asked the holdup man. "I haven't got a starter and you've got my money."

Once the negro, crank in hand, was in front of the car, Mr. Parra started his motor, jammed his accelerator to the floor and roared over his body, dragging it 200 yards. Then he recovered his pocketbook and calmly notified officers.

The negro, in a local morgue, is still unidentified.

Mississippi Pardons 16 Forgotten Convicts

PARCHMAN, Miss., April 18. — (P) — Through the "court of mercy" of Governor Sennett Conner, 16 Mississippi convicts were released out of the state penitentiary gates here today.

The men sent out from the "long line" into the "free world" had little to say in the final ceremony. But the camp sergeant reported that there was a chorus of joyful shouts when the lucky prisoners were told earlier to "dress up" to see the governor.

The chief executive of Mississippi came here today after a study of records in 70 cases in which he took testimony from the penitentiary gates three weeks ago.

After issuing the official certificates of clemency, the governor then went into a study of other cases of "forgotten men" in the state penitentiary, those serving long terms who were without means or friends to lay their cases before the governor at the

pect or suspect in the crime. These circulars go to all police departments, great and small, and to law officers throughout the country. Many of them go to private citizens. The country is fairly blanketed with them. Such was the case with the Fredericksburg crime. In an unspectacular manner, the Bureau spread its net about the perpetrator of the crime, and finally ensnared him.

And one of the chief sources of strength in this method is in the fact that the "G-Men" do not seek the limelight, and are ready to give local officers full credit for their part in the capture of any criminal. For this reason, they have found local agencies eager to cooperate. To this extent they have coordinated all the police force of the nation into a mighty arm of the law that stretches into every city, town and hamlet in America with its almost uncanny power to run down criminals and make them pay.

CUMBERLAND, MD.

TIMES

JUN 22 1935

The Mighty New Arm of the Law

A young Negro arrested by a deputy sheriff in a small Mississippi town on May 28 has confessed to the murder of a young woman near Fredericksburg on the night of May 20, 1934. The prisoner had "answered to the description of the suspect" contained in a Department of Justice circular received by the officer more than a year before. Questioned about the Fredericksburg crime, he admitted his guilt. The "G-Men" again had reached out to get their man.

The crime had come under the jurisdiction of the Department of Justice because it was committed on a government reservation. The young woman's escort had been so badly beaten that he could not remember any of the circumstances of the tragedy. No one else had witnessed the crime. The authorities had only the most meager information on which to base a description of the suspect. This description had more to do with the nature of the crime, and with the characteristics which might apply to the perpetrator, than with anything else. But the officer in Mississippi had it in the back of his mind when he saw this young man loitering about the town.

This arrest demonstrates, with remarkable force, one of the most effective methods employed by the Department of Justice Bureau of Criminal Investigation. When a crime is committed in its jurisdiction it immediately sets in motion a tremendous investigating machine. One of its first steps is to broadcast, by circulars printed in its own plant, whatever information is available concerning the sus-

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(See: Juries.)

Give Him A Fair Trial

Bruno Hauptmann, who went to trial today for murder, is entitled to a fair trial under every safeguard guaranteed an accused person in our Anglo-Saxon law.

The vile crime of which he stands accused has stirred this country more deeply than any crime in recent years. But the courts must try him, not mass opinion.

There is in America a tendency that is menacing to order and law. This is a sort of hair-trigger justice that treats an accused person as a guilty one. For days now certain elements have been seeking to create about Hauptmann an atmosphere of pre-judged guilt. Recently there was flashed on movie screens a series of pictures of the Hauptmann trial scene in New Jersey, and among the pictures was that of an electric chair! This sort of thing is abhorrent to law-loving Americans.

Guilty or innocent Hauptmann should be tried fairly. His trial must not be made a Roman holiday for sensation mongers and horror hawks.

No Negroes On Jury; Acquitted

ELIZABETH CITY, N. J., June 13. — (ANP) — The "jury issue" and the exclusion of Negroes, came up here last Tuesday in a case involving Alonzo Smith, charged with liquor tax evasion, in the U. S. district court before Judge I. M. Meekins. Smith's attorney, P. G. Sawyer, chairman of the County Democratic executive committee, moved to have the indictment against Smith quashed because of the exclusion of Negroes from the grand and petit jury list. Judge Meekins refused to quash but offered to send for a colored man and place him on the jury, or to allow Sawyer to exhaust his ten challenges and then place 10 Negroes on the jury.

The judge denied that he had ordered the names of Negroes placed on jury lists, insisting that Negroes served on federal juries in New Bern, Wilson and Durham.

Smith was acquitted.

RADIO PATROL CARS MANNED BY FEARLESS AND UNRELENTING SEABOARD PEACE OFFICERS

CAPTURE IN LESS THAN ONE YEAR 64 STOLEN CARS. 78 PER CENT OF MURDERERS AND 32 OTHER ATROCIOUS CRIMINALS

Record Gives Lie To Those Who Allege Negroes Do Not Make Good Law Enforcers

ATLANTIC CITY, N. J., Aug. 15. — (ANP) — During the past fortnight, through the courtesy and foresight of Director William S. Cuthbert, white of the Atlantic City Department of Public Safety, a dozen or more citizens have experienced the thrill of a cruise in one of the fleet radio patrol cars recently added to the anti-crime devices of the police department. While these residents are still expressing their appreciation for the experience, word has been received that two of the Negro operators of Car No. 1, James Diamond Elbart and James Jones, have received a special citation for alertness in service. The letter addressed to the two officers by the director, reads as follows:

"Let me commend you on your alertness in apprehending one James Esters who was wanted on the charge of murder in New York. "This kind of observation on the part of the radio patrol adds another feature to the utility of this system in that you have proved that you not only act in emergencies, but that you are observant and alert at all times.

"I sincerely hope that this high standard of police efficiency on the part of all the radio division will be continued by all members of the patrol."

The other two Negro operators of patrol cars are William Baynard and Wilburth Spriggs. All are courteous, fearless and feared. All won their positions through special training and passing examinations compiled by the Federal Government. They carry special licenses for operating such cars and each of the vehicles is equipped with a shot gun, a gas gun, night sticks, and, in extreme emergencies, machine guns are available.

In less time than one year these four men alone have captured several escaped convicts, located 64

One of these radio cars is never more than three minutes from the scene of any crime committed in the city, a far cry from the days when officers on foot set out to capture desperate criminals. When an unusual crime is committed in which escape may be attempted a signal is flashed to the tenders of the drawbridges leading out of town and both bridges are instantly opened. Escape is now well-nigh impossible.

However, it is not only through the radio patrol that Negroes are serving creditably in the Department of Public Safety. There are thirty-four of them in this department, of whom only fourteen are actually doing patrol duty; the others hold special positions. The only police woman in the city is colored. She is Mrs. Margaret Cresswell Hiawatha and is known throughout the state for her services in rounding up delinquent girls of both races.

There are five Negro detectives, two traffic policemen, and two motorcycle policemen. There is one sergeant, one corporal, one turnkey, one matron, one beach patrolman. All the men are loud in their praise of Director Cuthbert and report that race relations are all that they could possibly be. Some years ago an award offered to the most popular policeman on the force was unanimously given to

Frank Eggeston, a Negro. Among these guardians of the public peace one finds local boys who stepped into the service barely out of their teens. There are those who have graduated in special professional fields and found this type of service a more satisfying outlet for their energies, and still others who, by following in the footsteps of their elders are making this kind of community service a family tradition.

Three Negroes are enjoying the blessings of retirement after many years of faithful service and there are thirteen pensioned widows.

Director Cuthbert made a move in the right direction when he invited the citizenry to cruise with the radio patrol and learn more about the service. Truly those who shared the experience will feel more inclined to say of the officer standing on his beat, "They also serve who only stand and wait."

PROVIDENCE, R. I.
NEWS TRIBUNE

DEC 18 1935
THE LIE DETECTOR

Bruno Richard Hauptmann's request that he be subjected to a "lie detector" test to establish his innocence of the Lindbergh baby murder is entirely beside the point. The processes of American law for determining the guilt or innocence of a defendant to a criminal charge are well established. They are filled with safeguards for the protection of innocent defendants. A test such as Hauptmann suggests does not belong among them.

There is no protection that has not already been given Hauptmann. He was deprived of no opportunity at his trial to produce any evidence he might have, either in defense or in mitigation. His trial has been likened to a circus because of the brilliance of the light of publicity that shone upon it. There was an element of the theatrical in the trial proceedings, but there is no gainsaying that the sheer nakedness of the trial was insurance against any "frameup" such as defense proponents would now belatedly intimate existed.

The highest courts of New Jersey have reviewed the entire proceedings. These courts are composed of men of unquestioned integrity. Had they found the slightest shred

of basis for belief that Hauptmann had been guilty if there was any reason for their under- of seeker after truth, let him unlock his own eyes, not the cabinets of some biological laboratory. Belief is widespread that not all the truth has been told in the Lindbergh baby slaying. If that truth is in the mind of the un- and heart of the stoical, taciturn German carpenter it needs no serum, no mechanical measuring device to bring it out. If Hauptmann really wants to speak the truth, the world will listen.

Give Him A Fair Trial

Give Him A Fair Trial

Bruno Hauptmann, who went to trial today for murder, is entitled to a fair trial under every safeguard guaranteed an accused person in our Anglo-Saxon law.

The vile crime of which he stands accused has stirred this country more deeply than any crime in recent years. But the courts must lay him out mass opinion.

There is in America a tendency that is menacing to order and law. This is a sort of hair-trigger justice that treats an accused person as a guilty one. For days now certain elements have been seeking to create about Hauptmann an atmosphere of pre-judged guilt. Recently there was flashed on movie screens a series of pictures of the Hauptmann trial scene in New Jersey, and among the pictures was that of an electric chair! This sort of thing is abhorrent to law-loving Americans.

Guilty or innocent Hauptmann should be tried fairly. His trial must not be made a Roman holiday for sensation mongers and horror hawkers.

No Negroes On Jury; Acquitted

ELIZABETH CITY, N. J., June 13. — (ANP) — The "jury issue" and the exclusion of Negroes, came up here last Tuesday in a case involving Salongo Smith, charged with liquor tax-eval-

because of the exclusion of Negroes from the grand and petit jury list. Judge Meekins refused to quash but offered to send for a colored man and place him on the jury, or to allow Sawyer to exhaust his ten challenges and then place 10 Negroes on the jury.

The judge denied that he had ordered the names of Negroes placed on jury lists, insisting that Negroes observed on federal juries in New Bern, Wilson and Durham. Smith was acquitted.

**RADIO PATROL CARS MANNED
BY FEARLESS AND UNRELENTING
SEABOARD PEACE OFFICERS**

CAPTURE IN LESS THAN ONE YEAR 64 STOLEN CARS.
78 PER CENT OF MURDERERS AND 32 OTHER
ATROCIOUS CRIMINALS

Record Gives Lie To Those Who Allege Negroes Do Not Make Good Law Enforcers

ATLANTIC CITY, N. J., Aug. 15.—(ANP).—During the past fortnight, through the courtesy and foresight of Director William S. Cymberty, chief of the Atlantic City Department of Public Safety, a dozen or more citizens have experienced the thrill of a cruise in one of the fleet radio patrol cars recently added to out of 67 stolen cars, jailed 78 per cent of the murderers they have been sent after, captured 28 out of the department. While these residents are still expressing their appreciation for the experience, word has been received that two of the numerous other felons.

One of these radio cars is never more than three minutes from the hands of any crime committed in the city, a far cry from the days when officers on foot set out to capture desperate criminals. When

"Let me commend you on your unusual crime. It is committed at a time when the city is in a state of panic. The change of murder in New York. The drawbridges leading out of town and both bridges are instantly opened. Escape is now well-nigh impossible. The utility of this night impossible."

"I sincerely hope that this high thirty-four of them in this department of Public Safety. There are

The other two Negro operators of patrol cars are William Baynard and Wilburt Spriggs. All are courteous, fearless and feared. All won their positions through special training and passing examinations compelled by the Federal Government. They carry special licenses for operating such cars and each of the vehicles is equipped with a hot gun, a gas gun, night sticks, and, in extreme emergencies, machine guns are available.

In less time than one year these men alone have captured several hundred more. Some years ago an award offered to the most popular policeman on the force was given to a man who had helped escape 64 convicts, located 64

Frank Eggeston, a Negro. Among these guardians of the public peace one finds local boys who stepped into the service barely out of their teens. There are those who have graduated in special professional fields and found this type of service a more satisfying outlet for their energies, and still others who, by following in the footsteps of their elders are making this kind of community service a family tradition.

Three Negroes are enjoying the blessings of retirement after many years of faithful service and there are thirteen pensioned widows. Director Cuthbert made a move in the right direction when he involved the citizenry to cruise with the radio patrol and learn more about the service. Truly those who shared the experience will feel more inclined to say of the officer standing on his beat, "They also serve who only stand and wait."

publicity value in instances when some prosecuting official, some professional self-seeker or some colorful criminal counsellor seeks the centre stage, but it has no place in Hauptmann's death cell. If the condemned man wishes at this late date to assume the role of seeker after truth, let him unlock his own lips, not the cabinets of some biological laboratory. Belief is widespread that not all the truth has been told in the Lindbergh baby slaying. If that truth is in the mind and heart of the stoical, taciturn German carpenter it needs no serum, no mechanical measuring device to bring it out. If Hauptmann really wants to speak the truth, the world will listen.

DEC 19 1935
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The highest courts of New Jersey have reviewed the entire proceedings. These courts are composed of men of unquestioned integrity. Had they found the slightest shred of basis for belief that Hauptmann had been unfairly dealt with, they would have acted swiftly and surely to undo wrong. They found no wrong, no reason to reopen Hauptmann's case. Finally, the refuge of all the poor and helpless, the tribunal in which the least of the men and women of the United States can find justice, turned its eyes upon Hauptmann's case. The nine justices of the Supreme Court considered the facts to determine

NOV 13 1935

Police Brutality Charged By Colored Folk Here

Willy Harris Attacked in Station House in Barry Case, Crowd at Protest Rally Told.

Without condoning any illegal actions on the part of members of their race, colored residents of Jersey City, at a meeting of the Jersey City Chapter, National Association for the Advancement of Colored People, last night planned to circulate a protest against police brutality which they claim is practiced against colored people in Jersey City. The meeting was held in the House of Friendliness Y. W. C. A., 43 Belmont Av.

The protest is to be made particularly in connection with the alleged beating received by Willy Harris, 28, of 202 Union St., at the hands of five policemen in the Communipaw Avenue Station House after he had been arrested on the charge of being the man who beat Patrolman George Barry with the officer's nightstick.

The general tenor of all the talks was that the alleged beating of Harris is typical of the treatment arrested colored people receive and that, regardless of Harris' innocence or guilt, the police do not have the right to inflict punishment. All the speakers made it clear they do not wish to condone any illegal action by members of their race.

Brutality Charged

Rev. Edward P. Dickson, president of the N. A. A. C. P., who saw Harris in his cell some time after his arrest, told the audience Harris told him he was badly beaten with fists and blackjacks in the Communipaw Avenue Station after his arrest on Nov. 4. Harris showed him scars on his arms, Rev. Mr. Dickson said, which he claimed were inflicted by police. According to Rev. Mr. Dickson, Harris told him the police compelled him to sign the alleged confession he made.

Lawyer Charles W. Carter, acting as counsel for Harris, said when Harris was arrested he was beaten by policemen who used only their fists. They took him to his home to get evidence and then, after having him in a cell for some time, he said, took him out and proceeded to beat him with blackjacks and nightsticks.

The matter has gone beyond the stage of beating those accused, Carter said. Now, he declared, some policemen are going about attacking colored people on the street if they think they had anything to do with the beating of Patrolman Barry. Lawyer Carter also emphasized he did not wish to condone any wrongdoing on the part of anyone, but insisted the police should confine their actions to the limits of the law. He urged those present to take action to help make members of their race better citizens. The N. A. A. C. P., he said, is carrying on such action, "but," he declared, "we can do it better than a policeman with a nightstick."

He declared the efforts of the N. A. A. C. P. in this case will be twofold: first, to make colored people better citizens, and, second, to make the police realize their duty is to apprehend those breaking the law, not to act as judge, jury and executioner.

Capt. Gordon Accused

Carter presented Mrs. Rose Harris, wife of Andrew Harris, no relative of Willy Harris, who is the only one of the material witnesses who has been released. She told the audience Capt. Edward Gordon of the Communipaw Avenue Station, struck Dorothy Bailey, another of the material witnesses, in the jaw so hard blood came from her mouth. Her husband is still held in \$1,000 bail and she is left to care for her five children, she said.

Carter introduced Lawyer Charles Hueston, counsel to the National Branch of the N. A. A. C. P. and dean of the Law School of Howard University, Washington, D. C.

Hueston impressed upon those present that anything done for one colored person is done for all. Any colored man, he said, who does not work with his hands is standing on the shoulders of those who do. He remarked on the presence of most of the colored ministers of Jersey City in the audience, and pointed out that the colored church furnishes the nucleus for organization and the only source of higher education for colored residents of the South.

He took cognizance of the presence of two policemen at the meeting and welcomed them. He declared that when the people pledge their cooperation to the police, they ask in return that the police remember that they are public servants as is the President, governor, mayor and police captain.

Cost of Advancement

Police brutality, he declared, is the measure of colored advancement. It is in the same category, he said, with lynching. Lynching, he said, is not punishment for any particular crime, it is a means of keeping the colored man in constant fear so that he will continue to work for 30 cents a day, keep away from the polls, and refrain from protesting. Brutality by police is for the same effect, he said.

He pointed out that in the south, the colored man is not permitted to move about from town to town freely. "If in Jersey City," he said, "I cannot travel the highways at any time without fear of the police, I am personally interested in the Harris case."

He urged the colored people to organize their political strength in order to gain the strength to demand real freedom. The only freedom, he said, is complete freedom and it must be won by fighting.

He pointed out that a protest which may appear to have lost its specific objective may still do much good. He mentioned the recently defeated anti-lynching bill and declared that although the bill had not been passed, still, if it saved one life, it was a success. Similarly, he said, if the present protest will save one colored person from being beaten by the police, it will have had some measure of success.

Voting in South

Going to the broader aspect, Hueston declared it is up to the two million colored people in the North to fight for the nine million colored people in the South who are helpless. He pointed out that the Southern states receive representation in Congress in accordance with the total population while only the few white persons vote. He cited a few examples, taking the first congressional district in Georgia, where a population of 328,000 is represented by a man elected by 5,852 persons.

Hueston, counsel to the National Branch of the N. A. A. C. P. and dean of the Law School of Howard University, Washington, D. C. 241,000 persons.

As a result, he said, Senators and Congressmen from the South are returned year after year, acquire seniority rights, and head every senatorial and congressional committee. He read the complete list of committee chairmen and named the Southern state from which they came.

To Present Protest

At the close of the meeting, a legal redress committee was appointed to draw up a protest and to obtain signatures. The protest will be presented to the city authorities. The committee named is composed of Charles Carter, Rev. J. Thomas, Rev. E. S. Hardge, Dr. James R. Stroud, and Mrs. Ida E. Brown.

Preceding the protest meeting, election of officers was held. All the officers of last year were re-elected, with the exception of treasurer and second vice-president, the incumbents in these positions having resigned. The present officers are: Rev. Edward P. Dickson, president; Dr. James R. Stroud, vice-president; Rev. C. M. Kirkpatrick, second vice-president; Mrs. Ida E. Brown, third vice-president; Rev. E. S. Hardge, fourth vice-president; Emanuel J. French, treasurer; Mrs. Julia F. Townend, corresponding secretary, and Mrs. Lillian Williams, recording secretary.

Why Is He Silent?

CHARGES that Clinton State Prison at Dannemora has been made a "hell-hole" for Negro convicts have been laid before Governor Lehman by The Amsterdam News. We do not make these accusations on our own investigations, and we have passed them on to the chief executive because their persistence leads us to believe that they are worth official inquiry.

Most of the complaints have come from Negroes who are on parole, and they have been brought to our attention over a period of years. In the past men on parole have been unwilling to have their names used, but two former convicts have been willing to face possible return to Dannemora because of their promise to attempt an expose.

The two, C. A. Morris and William Brown, both paroled this year, contend that Negro prisoners are denied the privilege of working in the "better" prison jobs; that racial hatred on the part of white prisoners is encouraged; that Negroes are not allowed to take part in athletics with the whites; that discrimination has been condoned by Dr. Walter N. Thayer, Jr., commissioner of correction.

Obviously, it is impossible for a newspaper to send an outsider into Clinton Prison to make an investigation. If the charges are justified, the prejudice and discrimination could and would be covered before an investigator without official status could gain entrance.

On the other hand, Negro prisoners probably would testify truthfully and without fear if they were assured of immunity from retaliation by a state agency.

Governor Lehman has not shown enough interest to acknowledge receipt of the charges. Dr. Thayer, who has received a copy of the complaints, has done no more than write a letter telling what a bad fellow Davis (the former convict) is. He has dodged the question.

In a state which guarantees all rights and privileges to all persons, without regard to race or color, we cannot understand why the governor can ignore such grave charges. If he has investigated the charges and found them untrue, he should say so. If he has made no inquiry, we think he should call for one.

Racial bias has no place in any sphere of New York life, and issue-dodging should be above the dignity of the governor.

GIRL STUDENT POLICE VICTIM

Winner of Oratorical Contest Kicked and Beaten by Cop

Irate Brooklyn citizens are up in arms against repeated police attacks, which have been steadily growing in intensity during the past few months. The latest victim is Miss Vivian Darden, 20-year-old graduate student of Central Evening High School and 1933 winner of the Elk oratorical contest, who was knocked down by a burly policeman of the Eighty-first precinct, kicked, and finally arrested. The attack occurred in front of 1747 Fulton street, Brooklyn, on June 16. Miss Darden, who was graduated from Manual High School, was visiting friends at 1745 Fulton street at the time of the assault. She was attracted to the sidewalk by a commotion. No sooner had she arrived on the scene than she was peremptorily ordered by an officer to "get going."

Obediently, she started back for the house with the policeman prodding her with his nightstick. Apparently she was not walking fast enough, when, without any further cause, she said, the patrolman pushed her, grabbed her by the shoulder, pinioned her arms behind her back and sent her speeding in front of him with a kick. The young woman stumbled and fell. While prostrated on the sidewalk, the officer, who was later identified as James Shannon, allegedly kicked her again, then dragged the student into a taxicab, which took her to the station house.

Courtroom Crowded.

A charge for disorderly conduct was pressed by the officer. When the case came up at the Gates Avenue Court Tuesday morning, the courtroom was crowded with friends and sympathizers of the young woman. Among the interested persons present were the Rev. Dr. William C. Brown, pastor of the First A. M. E. Zion Church, where Miss Darden attends, and George E. Wibecan, president of the Crispus Attucks Community Council.

Pending the outcome of the case, which was adjourned by Magistrate James A. Blanchfield for July 15, departmental charges were preferred

against the officer by Mr. Wibecan and the Rev. Joseph N. Carrington, pastor of Mount Carmel Baptist Church, who was an eye witness to the assault.

Miss Darden resides at 440 Carlton avenue, Brooklyn. She was represented in the Magistrate's Court by Attorney John McGuinn, white, of 15 William street, Manhattan, who, because of his sympathy with the work of the Community Council, is serving without any fee. Miss Darden is completing a secretarial course at Central Evening High School. In 1933 she was winner of the Elks' oratorical contest in Brooklyn and placed second in the state contest.

BEING AN OLD COP HIMSELF, Police Commissioner Valentine is probably acting true to form in issuing orders to stop, by whatever means, gang warfare in New York City. "There'll be promotions waiting for the men who muss them [the gangsters] up," he said. "I'll promote the men who kick these gorillas around and bring them in." One need not be on the side of the "gorillas" to see in these remarks an incitation to lawlessness and violence which no public official should be guilty of. This is as much lynch law as are the mob proceedings against Negroes in the South, and it is one of the fundamental precepts of our society that even a gangster is entitled to his day in court. It will be answered that the men who make millions out of New York's gang wars have been in and out—mostly out—of court ever since they passed the reform-school age, without any lessening of their violent assault upon society. The police records of men like Dutch Schultz are astonishing to simple citizens who still believe that prison sentences follow legally proved crime. The answer, however, lies in a reform of our police-court system, the protection of witnesses who might testify against criminals, the punishment of public officials who are frankly in league with gangsters and racketeers, and above all the elimination of news stories which glorify lawlessness. It most emphatically does not lie in more lawlessness on the part of the police.

Crime-1935

ROCKY MOUNT, N. C. TELEGRAM

NOV 28 1935

A STRANGE COMPLAINT

A Wilson Negro is planning to go before the county commissioners to complain about the poor food that he was served while he was in jail on a drunkenness charge during the past week-end. He also will raise his voice against the noise which he alleged the jailer permitted and which kept him from sleeping comfortably while he was unavoidably detained as the county's inevitable guest.

"It's just terrible," the ex-prisoner is reported to have complained, "the way they treat you up in that jail." He then showed how that he had received only some soggy biscuits and some black molasses. He charges too that some of the other prisoners got more to eat than did he, and further that he did not have sufficient blankets with which to keep warm.

Such a reputation for a jail is almost commendable. If more jails were noted for the hospitable manner in which they receive their week-end "guests," probably there would be fewer inmates. Too, we had been led to believe that a fellow who was stored away for the week-end under the influence of intoxicating booze sometimes did not know or care whether he had so many blankets or a great deal of food or not.

Probably the prisoners who were cared for better than the one who was complaining were regular guests, or were locked up for offenses less obnoxious than being publicly drunk. It may have been, however, that it was just a mean old jailer, though, who wouldn't play fair with his charges. Anyway, a prison really isn't supposed to hang out signs and advertise for week-end guests and hand them printed menus when they arrive and put on special acts for their entertainment.

HIGH POINT, N. C.
ENTERPRISE

NOV 28 1935

WITH REFERENCE TO
SHOOTINGS BY POLICE

North Carolina

A boy is in the Davidson hospital seriously wounded, and the officer who shot him is absolved of blame; a Negro man stealing coal is apprehended and in the ensuing scuffle is fatally wounded.

and the coroner's jury calls it a "justifiable homicide." Findings in both instances are, no doubt, based upon facts brought out after careful investigation, but this sort of shooting represents a business about which people can only be concerned.

The wounded lad tells his brother that he was down and begging the officer not to shoot him when the bullet which might cost him his leg was fired; the Negro did not live to tell his side of the story, and the questions had to be asked for him. The officer, we trust, had nothing to conceal—but had he, there was nothing to prevent him for his was the only testimony of an eye-witness.

That the evidence in support of the verdict of "justifiable homicide" leaves something to be desired is testified by the Greensboro Daily News which adds that the best police officers of its acquaintance have never yet killed a Negro as result of an attempt on the colored lad's part to misappropriate fuel, food or clothing. "We have no doubt that it can be done, and legally; but we don't believe it ought to be necessary," says our neighbor. And it is a sentiment in which we heartily concur.

TARBORO, N. C.
SOUTHERNER

NOV 12 1935

We Bloody Carolinians

In the whole nation, we are told by the United States census bureau, North Carolina is the

only state in which killings head not to a greater disregard for life than the list of its crimes in 1934. In so much as to a reduction in all other states, leading crime types of crimes except homicides were something of less violent in this state.

In other words, many of the states are saved from a high homicide rate simply because they have not been unable to keep crimes of other types at a minimum. The census bureau's figures then don't mean anything. And if anyone wants to insist that they do, we North Carolinians can erase the blot of indulgence in the gentle art of slaying to a greater extent than such elements in all other states of the nation; that is, on a percentage basis. Obviously, there must be a reason.

The first conclusion to which many of us will jump is that the large Negro population is to blame. But that can be discounted to a large extent by the fact that other states, Mississippi for instance, have a large percentage of Negroes than North Carolina.

Let's look at it this way: Although homicides in North Carolina are proportionately more numerous than in any other state, figured on a total crime basis, only two per cent of the crimes of the nation were committed in North Carolina. Of the total of 62,251 crimes in the United States, only 1,163 of them were committed in North Carolina. Therefore, the figures would seem to indicate that North Carolina's high homicide rate is due

CHARLOTTE, N. C.
NEWS

NOV 21 1935 Guards and Regulations.

The Tarboro Southerner expresses approval of the way in which a revolt at a prison camp here was put down, finding it in desirable contrast to the method used in Mecklenburg some months ago when two Negro convicts lost their feet. In Tarboro, nine Negro prisoners went on strike, refusing to work. They were locked up and denied food for 72 hours, the maximum time allowed under department rules. At the end of the third day, the rebels remaining defiant and refusing to come one by one out of their cell, the guards in charge decided to prolong the starvation treatment rather than to use forcible methods, to be patient rather than to precipitate a possibly dangerous situation by hauling them out. Ultimately, the spirit of the prisoners became as deflated as their stomachs were flatulent, and they came forth meekly.

Sensible handling, The South-

erner calls it, and so do we. At WILMINGTON, N. C.

NEWS

SHOOTING POLICEMEN

Says the Fayetteville Observer:

"For the second time in less than one month a Raleigh policeman in the over-zealous discharge of his duties has shot an innocent man.

"Detective Captain Bruce Poole shot at a negro who was attempting to evade arrest on a break-in charge. The bullet went wild, struck a brick, ricocheted, and lodged in the left thigh of another negro standing on a sidewalk 200 yards away.

"It seems that a police department whose use of fire arms has been as marked by tragic deaths and injuries to innocent people as the department in Raleigh would emphasize to its officers the dangers in reckless shooting.

"Fayetteville's police department is fortunate in this respect. For years Chief J. Ross Jones dinned caution into the heads of his men and the precedent he set has been continued wisely by his successor Chief Barney McBryde.

"It is a fine thing for a police officer to know how to use a pistol. It is a better thing for a police officer to know when not to use one.

"This is borne out by the Raleigh department which over a period of years has a record of shooting more innocent people than guilty ones."

Wilmington's city police also enjoy the reputation of being free of triggeritis, and so do the general run of officers in New Hanover county.

Raleigh, as the Observer indicates, probably has the worst record for this kind of thing than any city in North Carolina.

POLICE INVOLVEMENTS.

The explosion down at the City Hall involving the conduct of police officers and their alleged outrages among the negro population, is beginning to reveal in its wake some rather alarming circumstances.

Two definite facts leap out.

First, that there is an unwholesome disaffection and confusion of authority existent between the City Council and the Civil Service Commission.

Second, that within the police department are smoldering fires of a veritable feudism which have been raging to the detriment of efficient service in the law-enforcing field, and to the fatal impairment of even the commonest and crudest discipline.

And such disclosures call imperatively now for definite, clear-cut and final action that will clear away these two disturbing factors, that will settle once and for all who is in control of the police department as between the Council and the Commission, and that will harmonize the disturbances within the personnel of the department.

These revelations have for the moment subdued public interest in the specific occasion that brought these facts to the surface, but they have not enabled the people to arrive at a satisfactory conclusion concerning these alleged outrages against the negroes.

Perhaps, however, for the moment, whatever may come later of this, it were better to concentrate on clearing up the mess that is being exhibited as to the authoritative functions of this department and as to the enmities, jealousies and rivalries that seem to abound within the personnel.

The Council now has opportunity, with the resignation of CHAIRMAN WHITE of the Commission, which seems certainly to have been in order, to have a fair, friendly and final understanding with the members of this civil service board.

This board under the present law, quite questionable as to its propriety, expediency or wisdom, has jurisdiction over the police department.

But so long as this commission is appointed by the City Council and derives its official title to function from that source, the Council could reasonably claim authority and responsibility for the conduct of the police department.

That is, unless the creature is to be more sacrosanct in its authority than its creator and unless, by the almost laughable caprice of this law, we are to have an official situation in the City Hall by which the tail is to wag the dog.

And then, too, it is obvious that the spirit of divisiveness that exists among those who are subalterns of the Commission, involving as it does even CHIEF PITTMAN—this spirit of discord and rebellion and lack of discipline must be surgined out if this community is to have an efficient police establishment.

Thus it would seem the path of stern and unavoidable duty for those in high authority, whether they be councilmen or commissioners, is clearing up. The next development called for is that courage to carry out what is coming to be so palpably the plain call of this official and patriotic obligation on their part.

HIGH POINT, N. C.
ENTERPRISE

MEANWHILE JUSTICE THWARTED

Scotland county emerges as a haven for women given to minor crimes. For there is controversial interpretation of the act of the last General Assembly which said that the state "may" take over short term women prisoners as well as men—the state authorities interpreting that law to mean that

the state must take them when it has quarters to keep them, and Recorder J. B. McKinnon, of Laurinburg, holding that the state must take over such women prisoners when sentenced by the courts.

All of which is perhaps quite interesting to Mary Thompson and Odessa Raynor, colored women sentenced to serve 30 days each for larceny, who though convicted are free and facing no prospects of atonement for their crime.

Somewhere there is responsibility for care of those and like prisoners — and the authority which released them should be held to accountability. The county may convict and the state may turn loose, but the county and the state do not serve justice by bickering over incidents when society has a stake too important to be circumvented because little men make issues out of small things.

Charlotte, N. C. Observer
September 3, 1935

MEN ACCUSED IN NEGRO ATTACK FACE PAY LOSS

Marshall to Recommend Disciplinary Action.

POLICE HEADS CONFER

New Organization Plan Calls for Only 11 Officers of Superior Rank.

City Manager J. B. Marshall will probably recommend Wednesday to the civil service commission disciplinary action to be taken against the 13 officers who allegedly assaulted without provocation a group of negro citizens on the night of August 3, it was learned last night after a lengthy conference attended by Chief E. D. Pittman, Detective Chief Frank N. Littlejohn, and Harry P. Joyner, night executive officer.

When called before the city manager yesterday afternoon the officers told without fear their part in the attack and answered clearly all questions put to them, it was stated.

After all of the policemen had been heard various other affairs relative to the department were discussed. The discussion principally concerned the adoption of a reorganization chart and remodeling of the police building, it was learned.

MINOR TITLES TO GO.

Although no official announcement was forthcoming and the proceedings of the conference were kept absolutely secret, it was learned reliably that the city manager will probably recommend to the commission that the officers involved in the attack be punished by being forced to work without pay for a stipulated length of time.

REORGANIZATION PLANS.

It was further established that the officials spent sometime studying a reorganization chart for the department that will place only 11 officers in superior capacities during the day and night.

With the police officials Mr. Marshall went over blueprints of the proposed plans for remodeling headquarters through finances to be received from the city treasury and the Federal government.

When questioned after the conference Mr. Marshall said the meeting was "just a round table discussion" with no definite plans for the improvement of the department formulated.

Each of the 13 officers were called before the city manager for questioning one at a time. Some of the officers elaborated on statements made at a previous investigation while others indirectly changed their stories.

CLEAR UP MIS-UNDERSTANDING.

Belief was expressed that the officers had cleared up the misunderstanding that existed at the time the council and the previous civil service commission conducted a rigid examination of the complaints made by the negroes.

At the time of this hearing, it was pointed out, the officers were placed at a disadvantage since their testimony was taken down by a court stenographer. They

were sworn by Chief Pittman, but after it developed that Chief Pittman was not in a position to wear the officers under his control.

After all of the policemen had been heard various other affairs relative to the department were discussed. The discussion principally concerned the adoption of a reorganization chart and remodeling of the police building, it was learned.

While Mr. Marshall emphatically denied that any definite course of action was adopted, it was learned that he will present his recommendation at the next meeting of the civil service commission.

The conference was held behind closed doors in the city manager's office and was only attended by the police officials. Members of the civil service commission were not present.

WINSTON SALEM, N. C.
JOURNAL

SEP 4 1935

Thinks Negroes Not Given Fair Chance To Combat Crime

To the Editor of The Journal: The headlines "Two Negroes Lose Life in Assaults in the City During the Week-end," make news for the person not acquainted with conditions that prevail in Winston-Salem that are a reproach to any community and show that there is a screw loose somewhere in dealing with the criminal element of this great city. A group of Negroes organized what was then known as the anti-crime league at the behest of the powers that be, for the purpose of studying a way to prevent, if possible, this wholesale slaughter by Negroes. This group recommended some ways and means by which this con-

dition might be changed if not entirely broken up. It seems that a deaf ear received these recommendations, and until this hour, no action has been taken on one of the recommendations on a plan. Not even the one submitted has been put into effect.

"Oh, nothing but a Negro," seems to be the unspoken word that is in the minds of those who have read of the killing of 13 Negroes in Winston-Salem since Christmas. Of course we know that the influx of strangers into the Negro section of this city has something to do with this unprecedented murder record, but since this influx has already taken place, it seems that the city government should make preparation to meet it.

The Anti-Crime League recommended that non-uniformed Negro officers be kept in this vast area of Negro settlements. The league claims that if the culprit does not know who is watching him, he will forego some criminal act, and if such act is committed, the unknown officer could make immediate arrest. But as it is when Negroes are fighting and killing each other, a bystander has to go to somebody's house, pay a nickel to use a telephone, and then perhaps be told that he will have to come down to police headquarters and swear out a warrant. This is preposterous when in cities not as large as Winston-Salem, the patrolman would have seen the crowd and dispelled it, or arrested the quarrelers and thus prevented a murder.

After Negroes have been faithful to the extent of giving their service and even their lives to this country, surely no Christian American could refuse the Negro a chance to save himself and others from annihilation, for he loves life, too!

Let Negroes feel they are working for this government, and they will change this murder record within 90 days. We, as a group, need relief in more ways than bread and butter, and we pray this relief may be forthcoming.

—J. H. R. GLEAVES.
Winston-Salem, N. C.,
September 3, 1935.

Charlotte, N. C. Observer
September 8, 1935

13 Policemen Penalized.

FOLLOWING A CONFERENCE with City Manager J. B. Marshall, the Civil Service commission Wednesday night imposed fines ranging from three to ten days' pay upon 13 policemen who were involved in the alleged wholesale raid upon negro-owned places of business in Brooklyn and alleged brutal treatment of negroes in those places, on the night of August 3.

The fines were imposed, it was explained, because the officers were guilty of "exceeding their authority and neglect of duty in not reporting to their chief."

Those fined three days' pay were Officers McCall, Brown, Ritch, Funderburk, Presson, Finlayson, H. C. Baker and R. L. Miller.

Fined five days' pay were Lieut. A. L. Sturgis, Officers Timmonson and Philemon.

Fined ten days' pay were B. A. Williams, in charge of the department on the night of the raid, and O. G. Holliman, assistant in the identification bureau.

All the 13 had admitted they were among those who were at the places where the disorders were alleged to have occurred.

After an investigation by the City Council immediately following reports of the affair, the council announced that evidence of "gross lack of discipline" had been uncovered. As an outgrowth of the investigation all the members of the Civil Service commission resigned and a new trio was appointed, under a "co-operative agreement" that the Council and City Manager and not the commission should have authority to direct the police department.

GREENSBORO, N. C.
NEWS

SEP 10 1935

RAISES QUESTIONS.

Robert Thompson, negro, could possibly add a chapter on left-handed justice in a right-handed world.

Charged with breaking and entering, Thompson took the stand in Guilford Superior court and, according to the public prints, stated he entered the premises of the prosecuting witness by invitation and while there took some whiskey and drank it.

Despite the fact that the prosecuting witness, John Slade, denied having any whiskey in his house, the jury freed the defendant; whereupon the presiding judge, viewing the verdict as a miscarriage, ordered the defendant held under his own testimony on a charge of whiskey in possession.

Thompson went back to municipal court without counsel to be tried on the bench warrant. A freshman in law would have advised him to stay off the stand in city court and call Slade as his witness, but he did the reverse and soon found himself in hot water. If he pleaded not guilty of possession, a misdemeanor, he opened himself to a charge of perjury, a felony. So he was con-

strong probability, he committed only in his mind. He might have got off lighter had he not told Municipal Judge E. Earle Rives he had been in court only two times when the record showed nine.

Despite the fact, however, that the defendant did not get as much as he probably deserved, his conviction raises grave questions of consistency. How, for example, could he consistently be found guilty of possessing Slade's spirits without laying Slade open to charges of both possession and perjury? If, on the other hand, Slade had no whisky, can Thompson consistently be convicted even on his own word of taking something that did not exist?

All of which is by way of saying that the courts sometimes must move in mysterious way their wonders to perform. All else failing the prosecution, there is always the income tax evasion.

The King Must Do No Wrong

The ancient saying, "The king can do no wrong," had two meanings. We are apt to remember one and forget the other. The common interpretation has made the sentence a statement to be scorned in these days of democracy. The interpretation is that on account of his high office, the king must not be charged with wrong doing. In other words, because he is king, this functionary can do pretty much as he pleases.

But there is another and a deeper meaning in this statement. It is "He is king because he does no wrong, and now that he is king he must do no wrong." In the days of chivalry, despite the machinations of evil men, persons attained to the kingship oftentimes because of their kingly qualities. Certain standards of honor, of character, were attributed kings who were supposed to set the example for their people. By strength of character and depth of personal honor, men rose to be kings, and because they were kings they refused to do the evil thing.

How much better off the world would be today if these standards, exemplified in the lives of David, Josiah, Richard the Lion-Hearted, King Alfred, and others of their type had prevailed, and the slogan of nations and empires had been, "The king must do no wrong," rather than, "The king

can do no wrong!"

Which is apropos the address of Clyde Hoey to the sheriffs of North Carolina. In the old days, the king typified the law. Today the sheriff does, as Mr. Hoey pointed out. Respect for the decrees of the king depended upon the fairness and just acts of the sovereign and his laws. When kings began to forsake the ancient tenets of honor and character, the monarchical forms of government began to fall in almost every country. When law enforcement officers flout the law they are required to enforce, respect for law and the courts of the country begins to wane, and civilization is undermined by the acts of the lawless.

It has been stated herein that a good sheriff should be more than a man of upstanding character. But let it be explained that he can never be less. There are no other qualities that can be substituted for that strength of purpose and decision that causes the enforcer of laws to abide by them himself. We might get along without some of the other attributes, but society is endangered when we try to get along without officers of character.

IN MECKLENBURG AGAIN.

(From The Greensboro Record.)

Notwithstanding that the Mecklenburg Superior court has lately finished a trial of officials for mistreating negro prisoners—a trial that gained almost nation wide publicity and ended in an unsatisfactory way from the point of view of many people, that county is now in the midst of another investigation involving the races. This time it is the city of Charlotte, more particularly the civil service commission, which is both prosecutor and court so far. On petition of a number of substantial negro citizens of Charlotte the inquiry into the alleged mistreatment by police of a number of negro business men was launched.

The case appears to have this complication. A. P. WHITE, chairman of the city civil service commission, the one that is making the investigation, was sitting in the police car, by his own admission, while the police were committing the assault, if there was any. MR. WHITE said he wasn't at the scene of the so-called crime nor does he know of anything that took place there. But at least he might be able to tell with what sort of weapons the police were equipped and he should be able to relate their first hand account of what transpired. And probably he will, Mecklenburg may know how to investigate even though the attempt just ended there was described

Crime - 1935

CHARLOTTE, N. C. NEWS

A Barbarous System

Frank Smithurst in The Raleigh
News & Observer

The dead, decomposed feet of two Negroes have jolted the conscience of North Carolina as it has not been jolted since the last time it was made aware of the brutality of its indifference.

Sent to prison for misdemeanors, disciplined there for infractions of the prison rules, these two Negroes, if they live, will go out of the Prison Hospital in Raleigh crippled for life.

This seems a very restrained statement of the situation, a dispassionate record of the fact that in the case of these two men, convicted of relatively minor offenses, the State has stopped just short of exacting the supreme penalty if, indeed, it has stopped there.

One of the Negroes was sentenced for four months for being drunk and disorderly. The other was sentenced for 12 months for larceny.

The most the State of North Carolina could have done to them by process of law under those charges and sentences was to keep them imprisoned or working for four months and 12 months, respectively. If, under the prison discipline, they had committed a major violation of prison rules, the prison regulations provided a reduction in grade: if a minor violation, solitary confinement for a "reasonable length of time." The two prisoners, according to the records, got the works. They refused to work and they cursed a guard. For the major offense, which we'll assume charitably was refusing to work, they suffered the humiliation of having their grade letters changed. For the minor offense, they have lost their feet.

No judge in North Carolina has the authority to cause a lash to be laid across the back of a prisoner, or to subject him to torture in the mildest degree. Yet, in the routine of a prison camp, under the eyes

of supervisor and guards and physician, under rules designated to modify the old horrors of flogging, men may be and have been mutilated for life.

"Ours," said Capus Waynick, chairman of the Highway and Public Works commission, "is the full and responsibility. And we are not disposed to pass the buck. There will be no whitewash."

Unfortunately the responsibility may not be so accurately and easily fixed.

The prisoners were punished under a rule which is frequently and regularly invoked.

The excess of that punishment could not well have come within the personal notice of the Chairman of the Highway commission. The commissioners never hear more than the statistics of prisoners working and available for work. J. B. Roach, the prison supervisor, I suppose, would have learned of it only in the routine fashion of reported discipline, had the men come out of their confinement fit to work.

You may narrow responsibility to the immediate case and the immediate camp. There is the opportunity of discharging and perhaps indicting the camp supervisor and some guards. There is the opportunity of discharging and discrediting the physician whose neglect in this case is a monstrous thing difficult to believe.

You may have your legislative investigations. The Highway Commission may purge the camp. The courts may pass on the elements of this crime. You may give the maimed Negroes crutches and close the book on the case. And what have you done? Expressed the futile indignation of the State over an inexcusable wrong.

The machinery under which this piece of barbarity was practiced will still run along with the blessings of the State which prided itself on its enlightened advance when the lash was abolished.

Prison camp executives will continue to operate their camps under the same rules. Camp physicians will continue to give the prisoners the cursory attention which busy professional men can afford. Grand juries will continue to meet in the counties in which there are camps and will continue to report that all's well. The State Board of Public Welfare, with its limited personnel and authority, will continue

to preserve the fiction of supervision. Preachers will preach and congregations will assemble for the exposition of the Scriptures. "I was in prison and ye visited me not" will continue to be the meaningless words of a man who lived 2,000 years ago.

It would be better if we had less color of humaneness and regulation and supervision and responsibility and Christian conscience if they are to serve merely as shields and excuses of indifference.

Certainly the terms of the prison regulation under which these helpless Negro prisoners suffered tortures which made of death a thing of welcome release, are not severe. The rule for solitary confinement doesn't necessarily invite excess.

In spite of the apparent observance of the camp routine nobody in authority knew the state into which the punishment had brought the prisoners. Nobody cared enough to find out.

And it doesn't make any particular difference whether the injuries were caused by freezing or by the suspension of circulation or by disease. There was ample evidence that a serious condition had arisen in spite of means of meeting it, this evidence was ridiculed until the surgeon's knife offered the only recourse.

Beyond the Commission to the Legislature and beyond that to the people of North Carolina must go the responsibility for this thing and the certain knowledge that it could happen again anytime in almost any camp.

The people of North Carolina don't know about their prisons and don't care, the Legislature doesn't know and doesn't care until a thing of this sort bobs up to shock and shame.

And the footless legs of two Negroes may serve the State vastly better now than they ever could have served it otherwise.

But we can't chop off Negroes' feet at stated intervals to call the attention of the people of the State and the attention of the Legislature to the sad fact that our prison system at best has just enough enlightenment to invite indifference and too much barbarity for comfortable contemplation.

RALEIGH, N. C. NEWS OBSERVER

MAR 7 1935

Cruelty and Complacency

Two Negro convicts, brought to Raleigh from a Mecklenburg prison camp, will be crippled for life after operations necessitated by gangrenous conditions of their feet brought on by the disciplinary measures in the camp. Yet despites this state-

North Carolina.

ment of the doctors, J. B. Roach, head of the State penal division of the Highway and Public Works Commission, sees no reason to take action against the camp officials under whose care the State crippled two men for life in the name of discipline.

This attitude by the man in charge of the State's prison system is more serious than the acts of subordinates who crippled the men by so-called disciplinary measures. Such an attitude at the top of the system cannot fail to be taken by little officials at the bottom of the system as approval of disciplinary measures which give a medieval quality to our system of punishment for crime.

There is little room for argument here. Disregard the convicts' story that they were hung up so that they had to stand for long hours for several days on feet frozen by the cold. Take only the doctor's statement that these men while in the State's care developed the horrid gangrenous condition that the doctors cut away. If the condition of these convicts was already begun before the "discipline" of hanging them up so that they had to stand on diseased feet, then cruelty has grown to a horrid statue in the State Prison system. If this condition had not begun before the "discipline" was ordered, then the camp officials cannot plead any excuse save their folly and carelessness for their cruelty.

Those two Negroes, crippled in the custody of North Carolina, are symptoms of a cruelty which cannot be regarded with complacency in an enlightened State. Surely there could be no greater hypocrisy than that which outlaws the lash and yet permits petty officials to indulge in more horrid cruelties. For the sake of decency as well as humanity, this hypocrisy that cripples must be ended in North Carolina.

WILMINGTON, N. C. STAR

A SORRY STORY

THE story that emanates from the hospital at state's prison and finds an echo in the halls of the senate is not a pretty one. In the hospital ward lie two young negroes, sentenced for short terms and for minor offenses, with only maimed stubs where their feet should be. The extremities were amputated by prison doctors after the men were removed from a prison camp at Mecklenburg. The footless prisoners claim their feet were affected when they were handcuffed in a standing posture for violation of prison rules. The doctors say their feet were frozen and in gangrenous condition when brought to Raleigh. Both the highway commission, under whose jurisdiction prison camps come, and the legislature have ordered searching investigations into the matter, and officials at camps where the men were confined have been suspended pending the outcome.

The investigation should be pushed to the utmost. While the average North Carolina citizen does not believe in pampering prisoners, neither does he believe in visiting inhuman punishment upon the transgressors, who are sent into the care of the state. If it can be shown that the present increased feet, then cruelty has grown to a horrid statue in the State Prison officials, the law should be visited on them in the extreme. The results of the matter are that two men are crippled for life and destined to be wards of society for the remainder of their lives, incapacitated to earn their own livelihoods.

The entire story sounds more like the tales of atrocities which missionaries occasionally bring back from foreign lands where bandits and savages have a penchant for torturing their victims. Certainly, it does not smack of a modern state in a modern civilized nation.

that which outlaws the lash and yet permits petty officials to indulge in more horrid cruelties. For the sake of decency as well as humanity, this hypocrisy that cripples must be ended in North Carolina.

PRISON CAMP HORRORS

Cape Fear Journal
A North Carolina legislative probe reveals the fact that cruel practices of officials in the Mecklenburg county convict camp has resulted in the death of one Negro prisoner and the loss of both feet by two others. The fact has been pretty well established that two of these prisoners were placed in "solitary confinement" and suffered so intensely from the cold that shortly after they were allowed their usual "camp freedom" their feet had to be amputated. The third Negro prisoner died in shackles!

To attempt to describe how utterly heartless and cruel these practices are would be futile, a mere waste of words. "Prison horrors" is putting it mildly. The Spanish Inquisition was tame in its ruthless punishment compared with the officials of this prison camp if they are guilty of the cruelty with which they stand accused. It is inconceivable how a human being could be so fiendish as to enjoy such suffering among other humans. 3-30-35

North Carolina bows her head in shame! Because North Carolina was ever proud of her penal institutions and her courts. Unnecessary cruelty was seldom practiced within those walls. But not for long does the proud old North State shed tears of shame. This cancerous spot in her penal system, this cesspool of cruelty, this barbarous practice of sadism must be abolished. North Carolina is thorough in her punishment of those who betray her trusts. And if these camp officials are found guilty of this heinous offense they will be dealt with severely. North Carolina is acting thru various investigating committees. We anxiously await the outcome of these probes. *Cape Fear*

Another angle to this deplorable and pitiful incident is the necessity of artificial limbs for these unfortunate victims. We feel confident that these men will be well cared for by the state whose officers practiced such Borgias-like and needless cruelty upon them.

GREENSBORO, N. C. NEWS

APR 1 1935
NOTE ON EQUALITY.

Comparisons are admittedly odious; yet if they are justified anywhere it must be in the field of justice where equality before the law is hailed as the highest governing factor.

With that generalization, the Daily News approaches the case of Booker T. Watson, 15-years-old negro, who at present is on death row following his conviction of the murder of Hinsey T. Williams, Nash county farmer, on whose place he lived. Over against it is placed the case of Alfred Denton, white lad who some years ago, when he was 14, broke onto the front pages as the slayer of Theo Tant, a farmer neighbor, in the self-same county of Nash.

Watson, as the Daily News recalls, shot his landlord immediately after a row which occurred one Sunday afternoon while he and Williams and several other boys were playing in the Williams' yard. Ordered home, the negro returned shortly with a shotgun and killed the farmer as he slopped his hogs.

Evidence in the Denton case, unless our memory serves us false, was that the boy hid in a tobacco barn and shot Tant as he drove by on a wagon. Tant had been accused of molesting Denton's still. The case attracted major interest, with press, pulpit and sentiment generally rallying to the boy's side. But that gets into the realm of punishment, which deserves a paragraph to itself.

The white boy was sent to Jackson training school, where he spent approximately three years before being dismissed by the state back to his old surroundings, influence and environment which now, incidentally, have again landed him in the Highway and Public Works the toils of the law. In contrast, the black boy, who has had scarcely a voice raised in his defense, was found guilty of first degree murder and now awaits the death penalty unless Governor Ehringhaus intervenes.

Comparisons are odious? Odious indeed when they reflect such inequalities in the sphere where equalities of all places are supposed to obtain.

SUN

MAR 7 1935

SAYS IT'S A DISGRACE TO NORTH CAROLINA

A traveling man from Richmond, Va., called on the editor of the Johnstonian-Sun this morning, and in reviewing recent happenings in general, the visitor asked if we had noticed the account of the treatment given two negroes in Mecklenburg county prison recently by the camp officials. He said that such barbarism by those who are in charge of our prison system is a disgrace to the entire State of North Carolina. It reminded him of the acts of the African heathen's way of meting out punishment.

Such barbarous treatment is indeed a shame on the State, and people of other States who read the story as it goes out in the newspapers and over the radio will wonder, just as many of us are wondering, what kind of prison system have we in North Carolina.

An editorial in today's News and Observer speaks our sentiments better than we can give them. Here it is:

CRUELTY AND COMPLACENCY.

Two Negro convicts, brought to Raleigh from a Mecklenburg prison camp, will be crippled for life after operations necessitated by gangrenous conditions of their feet brought on by the disciplinary measures in the camp. Yet despite this statement of the doctors, J. B. Roach, head of the State penal division of the Highway and Public Works Commission, sees no reason to take action against the camp officials under whose care the State crippled two men for life in the name of discipline.

This attitude by the man in charge of the State's prison system is more

serious than the acts of subordinates who crippled the men by so-called disciplinary measures. Such an attitude at the top of the system cannot fail to be taken by little officials at the bottom of the system as approval of disciplinary measures which give a medieval quality to our system of punishment for crime.

There is little room for argument here. Disregard the convicts' story that they were hung up so that they had to stand for long hours for several days on feet frozen by the cold. Take only the doctor's statement that these men while in the State's care developed the horrid gangrenous condition that the doctors cut away. If the condition of these convicts was already begun before the "discipline" of hanging them up so that they had to stand on diseased feet, then cruelty has grown to a horrid statute in the State Prison system. If this condition had not begun before the "discipline" was ordered, then the camp officials cannot plead any excuse save their folly and carelessness for their cruelty.

Those two Negroes, crippled in the custody of North Carolina, are symptoms of a cruelty which cannot be regarded with complacency in an enlightened State. Surely there could be no greater hypocrisy than that which outlaws the lash and yet permits petty officials to indulge in more horrid cruelties. For the sake of decency as well as humanity, this hypocrisy that cripples must be ended in North Carolina.

Crime-1935

North Carolina

NEGRO DIED IN CHAINS

Was Manacled in Dark
Cell by Carolina
Prison Guards

RALEIGH, N. C., March 13.—A legislature lolls along, awaiting committee reports, memorializing Congress and inviting outside speakers to contribute to its edification or amusement, as the case may be, that there are business items, long omitted measures and even a constitutional mandate, which might be transacted in the name of fairness and even decency.

The legislative inquiry into conditions at the camp was started when white and Negro workers, under the leadership of the International Labor Defense, flooded the North Carolina Legislature and Governor with indignant protests against the barbarous treatment of prisoners, which resulted in the amputation of the feet of Robert Barnes, aged 20, and Woodrow Wilson Shropshire, aged 19.

Had Feet Cut Off

The two youths had their feet amputated on March 6, after being taken from the chain gang camp to Raleigh. Barnes is in a critical condition and is expected to die.

The youths declare their feet were frozen while chained to a wall in an upright position during a severe cold spell last January.

Just a few hours before the operations, Jack B. Roach, State Prison Director, denied that the men's feet had been frozen, and claimed that "they only had 'trench feet'" and would be fully cured "in a few weeks." He completely whitewashed the prison officials and their barbarous torture of these victims of the hideous chain gang system. Yesterday he was forced to admit that the legislative inquiry into practices at the Mecklenburg chain gang camp resulted in information which "leaves little doubt that" L. Bogan died there last August under torture.

Chained in "Dark House"

The Charlotte Observer admitted that Barnes and Shropshire had been chained for eight to ten hours daily for four days in the "dark house," and kept on bread and water. The youths state this punishment was for warming their feet at an open fire during the cold spell. The authorities justify their treatment with the claim that they cursed the foreman.

GREENSBORO, N. C.
NEWS

MAR 1 1935

NOTE ON TWIDDLING OF THUMBS.

One would never surmise as the legislature lolls along, awaiting committee reports, memorializing Congress and inviting outside speakers to contribute to its edification or amusement, as the case may be, that there are business items, long omitted measures and even a constitutional mandate, which might be transacted in the name of fairness and even decency.

The matter of legislative omission was, in fact, brought to mind by a capital case, as the law now stands, which has recently been concluded in Alexander county Superior court. Gary Thompson, negro, was convicted of first degree burglary. No one needs to be told that this offense, to all practical purposes, is no longer punishable, and has not been for some time, by death in North Carolina. Advancing public opinion has so decreed, but the responsibility rests with the Governor's office whence commutation of sentence comes. With the Taylorsville exhibit before it, occurring during the midst of a session in which the legislative fathers find time hanging heavy on their hands, why not bring the statute, so that any chance slip might be avoided and the chief executive relieved of this needless responsibility, into harmony with public sentiment and the nullification however much that may be North Carolina's way, which now obtains?

In the same realm, although bringing imposition rather than alleviation of the death penalty which the Daily News is not inclined to whoop it up for under any circumstances but which is none the less on the statute books and, so long as it is, should prevail without discrimination, is another glaring omission.

A hired killer gets the limit in North Carolina, but the master mind, the fiend, who plots the assassination and lures the slayer by money, gets off with his wretched life. If anything he is the worst offender; at least he and his hired killer should be on the same punitive plane.

And that constitutional mandate? Obviously, there's no further need to remind anybody about the legislative apportionment decree. The 1935 general assembly is technically ready for that. The constitution stipulates the first assembly after an enumeration; we're the third, and rectification, the very idea, is no business or responsibility of our'n.

And so the legislative fathers, happily or not, spend their off-moments twiddling their thumbs.

GANG QUIZ BARES SECRET BURIALS

Former Convict Offers
To Lead Probers to Victims' Graves.

3-14-35

CHARLOTTE, N. C., March 13.—(P)—A legislative investigating committee tonight had before it evidence that North Carolina prison camp officials had made a practice of secret burials for friendless victims of their disciplinary practices.

Withholding the identity of their informant, a former convict who is still under suspended sentence, members of the committee tonight were unanimous in their determination to visit the scenes of lonely graves described by him.

The committee was told that when beatings, chained suspensions and other forms of punishment proved fatal, bodies of the victims were carted to lonely mountain spots and buried and the true circumstances of the cases glossed over in official reports.

The informant was quoted as claiming to have been himself a member of such burial parties, and he offered to lead the committee in its quest.

The committee received the startling testimony near what it had expected would be the end of an investigation into practices in Mecklenburg county which were alleged to have resulted in the death of two prisoners and the loss of both feet by two others. Testimony regarding hitherto un-

known brutalities at the Henry Little convict camp near here was produced earlier in the day as the committee began its study of prison discipline conditions.

Starting primarily as an investigation of why it was necessary to amputate the feet of two negro convicts after they had been chained in solitary confinement at the camp, the legislators already had heard evidence discrediting official reports on the death of a negro inmate and attributing it to his having been suspended in chains for a long period.

A second death was brought into the record of the investigation by testimony of Manley Swearingen, former convict at the camp, who said a negro named Carter, who has not yet been fully identified, died at the county home in 1927 after receiving weekly beatings at the camp over a period of three months.

Previously Capus M. Waynick, chairman of the state highway and public works commission, which has charge of convict camps, had announced he had sufficient evidence to attribute the death of L. Bogan, negro convict, to his having been suspended upright in chains in the camp's "dark house," despite the fact that reports at the time attributed death to heart trouble.

Woodrow Wilson Shropshire and James Barnes, negro convicts whose feet were amputated last week because of gangrenous infection, claimed they were frozen while chained upright in the "dark house" as punishment for minor rule infractions.

Dr. C. S. McLaughlin, county physician, attributed their condition to erysipelas not traceable to prison causes, and he has been suspended from prison duties along with officials of both convict camps located in this county.

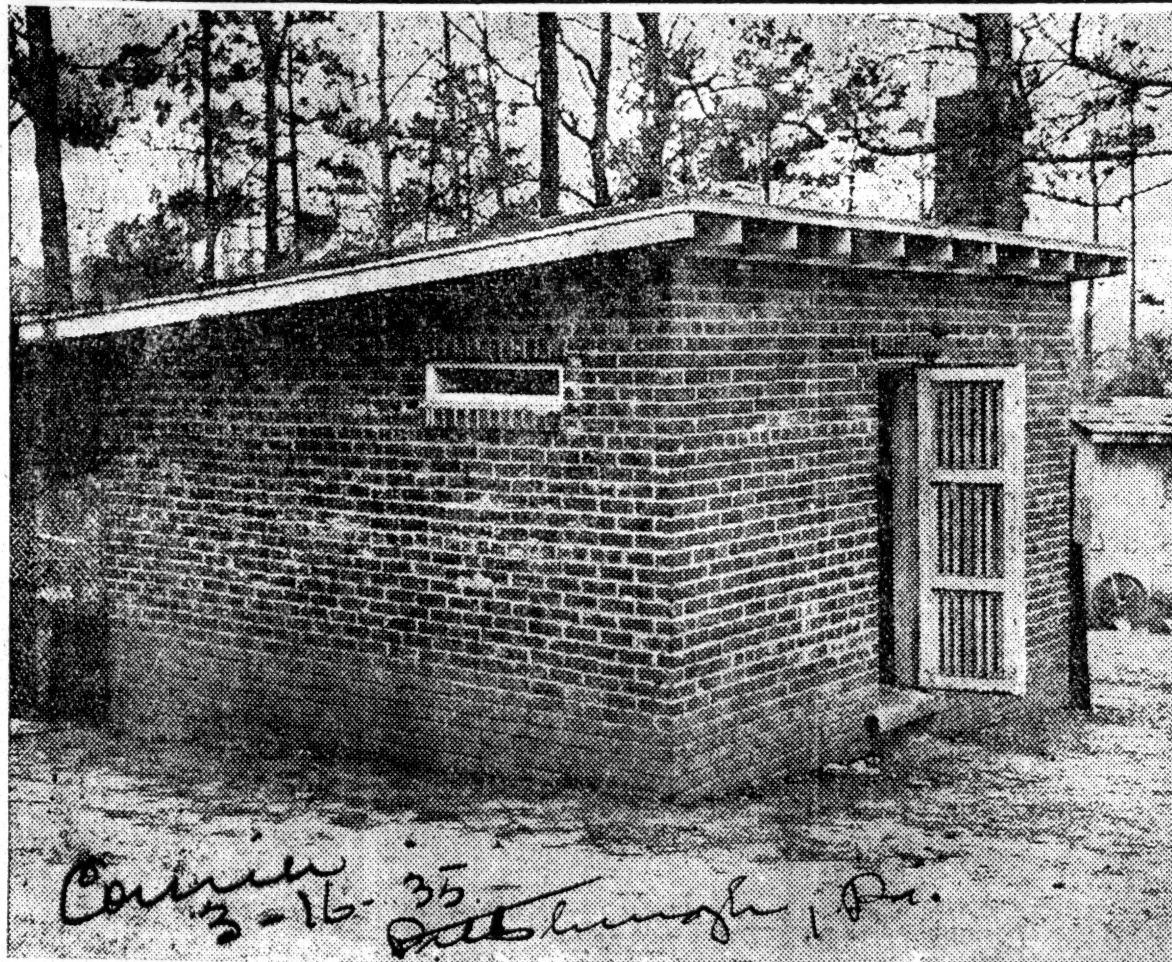
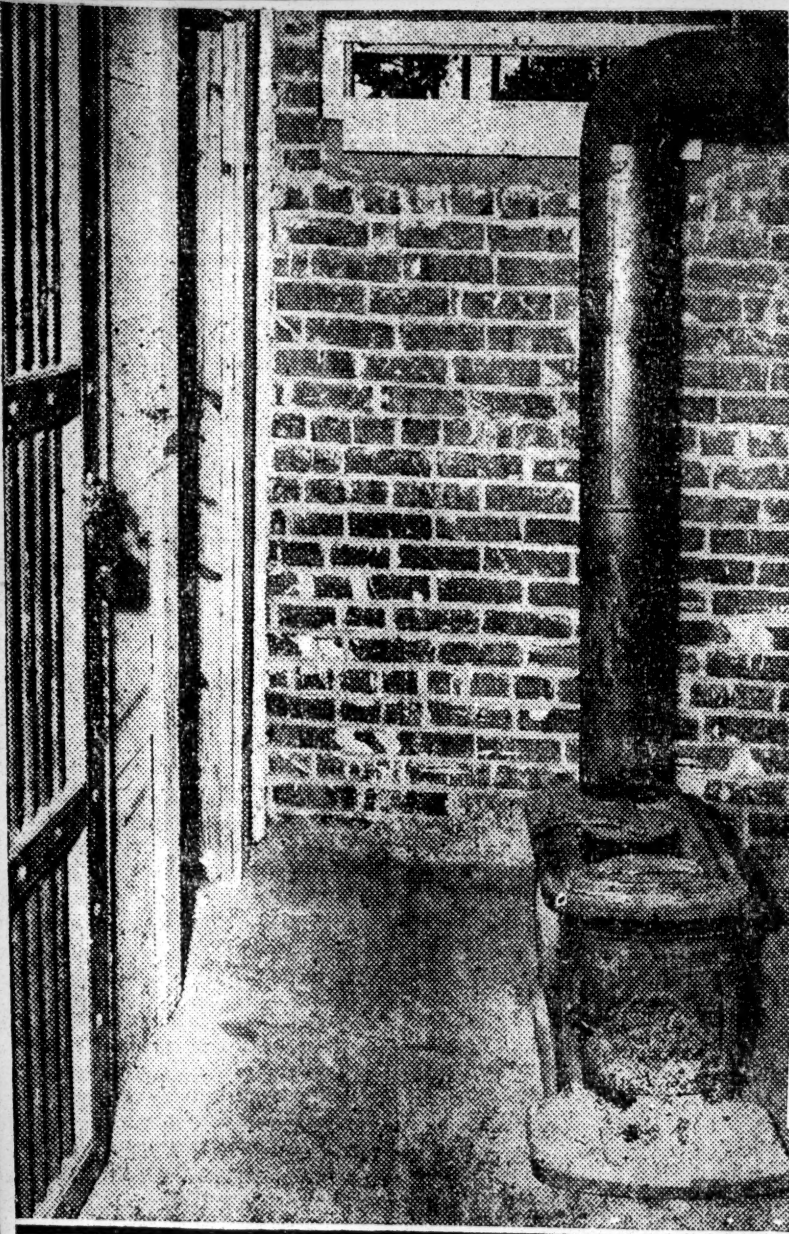
Fred Young, inmate at the camp when Bogan died, said the negro was handcuffed in a standing position in his cell and had been in the cell 12 or 13 days before he died, and that he repeatedly begged for mercy, only to receive the curses of guards, who threatened additional punishment.

DECENCY CALLS FOR ANSWER.

North Carolina, substituting solitary confinement of prisoners for the lash, now has evidence before it that the substitute may not be such a successful approach to humanitarianism as it was generally considered.

Two negro convicts, serving short terms, have just had their feet amputated as a result, they charge of treatment which was received at the hands of prison authorities in Mecklenburg county. There seems to be general agreement that the prisoners, who, it is alleged, refused to work, were placed in solitary confinement January 24 and for five succeeding days spent eight hours out of each 24 handcuffed in an upright position to the bars of their cell. Five days additional confinement followed before they were finally removed and taken to another camp. Medical opinion, as if there were ever experts who agreed, differs as to the cause of the plight which has resulted in their loss of both feet. One physician has said "trench foot"; another "erysipelas"; and still another, one of the surgeons who performed the double operation, that "their feet were absolutely stone cold dead and had been dead for a long time." The prison physician at Raleigh, where the amputations occurred, merely declared "We don't know," no official diagnosis having been arrived at although the condition which led to this week's operations occurred more than a month ago. Whatever may have been the cause, and it should be determined specifically if possible, whether trench feet, erysipelas or frigidities, to what extent did the treatment which the negroes received at the hands of the state and its employees contribute to its origin or aggravation? That is the question, in its specific and representative aspects to which decent North Carolinians will demand an answer. While on this general subject the Daily News is also moved to make inquiry upon a case nearer home. In our own Guilford county a negro who was shot in an affray was treated and dismissed from a hospital. Subsequently he was sentenced to the roads for his participation in said affray only to have his wound become aggravated, infected or whatever the case may have been, and bring his death 10 months later. His assailant has as a result been convicted of manslaughter; but that intervening term on the roads and effects of the treatment to which the victim may or may not have been subjected create a situation which is surely not as clear as it might be in some of the citizenry's minds.

CAROLINA CHAINGANG CRUELITIES CAUSE MEN TO LOSE THEIR FEET



*Carlin
3-16-35
Petersburg, Va.*

CHARLOTTE, N. C.
OBSERVER

This is the solitary confinement building, Charlotte, outside and inside, where two youths, Woodrow Wilson Shropshire, 19, and Robert Barnes, 20, conficts, say they were forced to remain barefooted during the severe weather of January by Capt. H. C. Little, veteran white chaingang boss at Charlotte, N. C. The boys face amputation of their frozen feet.

Little denies their story and says he kept fire burning in the stove shown. Well, how did their feet freeze? Maybe they stuck them out the window (?) Oh, we forgot to tell you, the youths were handcuffed, standing up, to the bars of the cell door shown in lower photo for eight hours a day.

PETERSBURG, VA.
PROGRESS INDEX

inhuman treatment. They were forced to remain upright in dark cells in cold winter weather, it seems, until their feet were frost-bitten. It is to the credit of North Carolina that its citizens and its press have loudly denounced the system under which such a thing can occur and which will allow it to remain unknown until brought to light by accident. Just what the abolition of solitary confinement will mean we do not know; the frost-bitten feet in the case were the result of cold weather, not solitude.

The incident has the ring of old inhumanities. Such a case occurred hereabouts near the end of the 1700's, when local indignation ran high over the treatment of a slave of Humphrey Traylor, of Dinwiddie. The slave murdered a planter in Brunswick and was sentenced to be hanged. A reprieve was sought by petitioners in Petersburg who in time discovered that the Negro's life had been spared, but that he had been tied upright to the wall of a log cabin and was being allowed to freeze and starve to death. Such stories of cruelty are bad enough in the past; in the present they are not to be endured.

APR 4 1935
OCCUPATION PREFERABLE.

As a matter of course, the two negro boys, who lost their feet by reason of exposure and punishment in the Mecklenburg prison camp, have a claim upon the generosity of the State, but the proposition to adopt them as wards and help them to a life idleness, is a rather doubtful one. A better plan than that of placing them on a pension roll for life would be to provide them with mechanical feet which would enable them to engage in active occupation. There would be trades available for them and they could take their places among the legitimately occupied citizenship of the State. Plenty of trades would be open to them, and equipped for making a living for themselves, they would enlist a degree of public sympathy as they go along that would insure them no lack of "business."

MAR 25 1935

Old And New Cruelties

THE AUTHORITIES in North Carolina have ruled that there shall be no more solitary confinement for prisoners. This comes as the result of an unfortunate case in which two young Negroes had their feet amputated because of alleged

Prison Camp Brutality

ONE THING we have not learned much about the petty offenders committed to during all these years we have been becoming them. We place these inmates at civilized is the adequate diagnosis and treatment of the mercy of mediocre men we can criminality. But anyone with normal sensibilities can tell you that the methods of chain gang bosses, such as came to light in North Carolina recently, are the most revolting discredit to an enlightened commonwealth.

Two prisoners serving short terms on a prison camp for drunkenness and larceny cursed a guard. So the authorities of Mecklenburg county reported. But even if they did curse a guard, their wrong did not make what followed a right. As punishment, they were chained in an upright position, in solitary confinement, for five consecutive days—eight hours each day. The disgusting details may be found in a news article in this issue; suffice it to say that as a result of this punishment, their feet had to be amputated.

Small wonder that the General Assembly has started a legislative investigation as a result of the wave of indignation that swept through every self-respecting and decent person. Small wonder that, with news of such torture reaching the far corners of the nation, people everywhere are wondering just how deeply, if at all, the niceties of "civilization" have penetrated this nation. And as if adding insult to injury, J. B. ROACH, superintendent of the state's penal system, comes to the defense of his minions with this statement:

I made a careful examination of the camp employees, and I can't see any irregularity on the part of the superintendent or the guards. I'm confident there has been no neglect on the part of Captain Little, the superintendent, as far as I've been able to find.

Yet, what Mr. ROACH does know is that this terrible thing has happened, and under a penal system for which he is accountable to the people of his state. And what Mr. ROACH also must know, as does everyone else, is that cruel and inhuman treatment of inmates is common in prison camps throughout the country, and that only rarely does evidence come to light—evidence such as the bleeding stubs of legs which two of his prisoners must drag through life.

After all these years, we have not even begun to learn the curative science of rehabilitating criminals. Certainly, convict camps, such as the one under discussion, have no place in the government of a civilized people. Prisoners who serve their time in them come out a greater menace to society than they were before.

And yet we tolerate them. We tolerate jails and detention homes

for children which make felons of practices of Camp No. 413 in Mecklenburg County came to light. Details as lurid of those surrounding the case of these two men are expected to be revealed in reports coming late this week coming from investigators now at work.

Other incidents of inhumanities at the camp of Captain Henry Little who has been suspended pending the outcome of the investigations include the death of L. Bogan a prisoner last August while hanging suspended with chains in his cell and the forcing of castor oil down men's throats, who were then required to remain standing with the legs of their trousers tied to their legs.

The cases of Shropshire and Barnes, according to information gathered by a legislative investigating committee have been traced back to an incident which occurred on January 23, which resulted in their being demoted to C grade and being confined to solitary cells.

Refused to Work According to J. M. Roach, director of the prison division who included in his report to the committee last week the records of the two maimed men, they refused to work and cursed a guard.

Though nothing authentic is known of the details of the incident which led to their confinement, unofficial sources have reported that the men had stopped work to warm themselves by a fire and that when ordered to return to their duties an argument ensued during which they cursed the guard.

In addition to being confined, these two were ordered shackled and required to remain standing on a concrete floor handcuffed to the bars of their lightless cells from eight to 10 hours per day for from three to five days of the 10 to 12 days they were to spend under this strict discipline. Meanwhile their diet was to consist alone of bread and water.

Trouble on Fourth Day It was on the fourth day of their confinement under the conditions already outlined that the feet of the men began to swell. That was on January 28.

Although they were not required to stand again, the condition of their feet grew steadily worse. Blisters began to form and the flesh to come off. The convicts were kept in bed.

On February 22, 25 days after they had been taken down from the bars, they were sent to a hospital where they were treated for erysipelas ulcers.

Still the condition grew worse and on March 5 they were brought to the prison hospital here where it was found that their feet were dead and rotten.

Might Have Died An emergency operation had to be performed on each man in order to remove both feet before the gangrene which the doctors here found in an advanced stage caused their death.

Captain Little expressed the opinion that the condition of the men's feet which has been attributed to the shackles they were required to wear was the result of padding which the men had placed around their ankles between the shackles and their flesh as protection.

This he said was probably wrapped so tightly that it stopped the flow of blood.

Exposure Mentioned Thought unable to confirm or deny the truth of the prison captain's story a surgeon stated that he believed that exposure and cold contributed heavily to the gangrenous condition of the men's feet which required the operation.

In the House of the state legislature Friday where action of a pending liquor bill was sidetracked for consideration of this case, Rep. C. W. Spruill of Bertie County in moving that a committee be appointed to make a thorough investigation of the indictment said:

"If they'd cut those poor Negroes' heads off and boiled them in oil, it wouldn't have been any more inhuman."

Negroes Killed By Torture

Robert Barnes, 20, and Woodrow Wilson Shropshire, 19, Negro youths whose feet were amputated two weeks ago, were confined daily for four days on a stretch. The youth's feet became frozen and had rotted from gangrene caused by manacles and exposure. L. Bogan, another Negro youth, died while manacled, the investigating committee discovered last week.

Negroes are regularly arrested on the most trivial charges, often framed charges, and given sentences of 90 days to a year on the roads. They are put under "poor white" guards who have been taught by the bosses to "hate the nigger." These guards themselves are paid only \$45 a month. The whole system is reminiscent of the Dark Ages and the Spanish Inquisition. This is "the peaceful relations between the races in the South," of which the N.A.A.C.P. leaders and other reformists prate.

GREENSBORO, N. C. NEWS

DECENCY CALLS FOR ANSWER. North Carolina, substituting solitary confinement of prisoners for the lash, now has evidence before it that the substitute may not be such a successful approach to humanitarianism as it was generally chronicled.

Two young negro convicts, serving short terms, have just had their feet amputated as a result, they charge, of treatment which was received at the hands of prison authorities in Mecklenburg county. There seems to be general agreement that the prisoners, who, it is alleged, refused to work, were placed in solitary confinement January 24 and for five succeeding days spent eight hours out of each 24 handcuffed in an upright position to the bars of their cell. Five days additional confinement followed before they were finally removed and taken to another camp.

Medical opinion, as if there were ever experts who agreed, differs as to the cause of the plight which has resulted in their loss of both feet. One physician has said "trench foot"; another "erysipelas"; and still another, one of the surgeons who

PENAL HORRORS DISCLOSED BY DEPEDITATION

Probe Follows Operation of Two N. C. Prisoners

3-16-35

RALEIGH, N. C.—Two men, youthful, black and maimed for life, lie prone on beds at Central Prison here while prison camps disgorge, under pressure of determined probes by three state agencies, more and more incidents which might have moved Dumas to add to the horrors of his Chateau d'If.

The two men, Woodrow Wilson Shropshire, 19, and Robert Barnes, 20, have surgical science to thank for their lives—if their lives can now mean anything at all to them. But for the loss of their feet they have only bitterness for a commonwealth which in its crude attempts to make them better men succeeded only in making them helpless men.

Disclosure Expensive Symbo's they are, these two, of penal barbarities which were disclosed only through the loss of their feet. For it was merely incidental to the operation that the

RALEIGH, N. C., March 17.—While investigating conditions in North Carolina convict camps which led to the amputation of the feet of two Negro youths, a legislative committee has discovered that many prisoners reported as "escaped" had actually been tortured to death and their bodies buried secretly in the dead of night.

3-18-35

performed the double operation, that "their feet were absolutely stone cold dead and had been dead for a long time." The prison physician at Raleigh, where the amputations occurred, merely declared "We don't know," no official diagnosis having been arrived at although the condition which led to this week's operations occurred more than a month ago.

Whatever may have been the cause, and it should be determined specifically if possible, whether trench feet, erysipelas or frigidity, to what extent did the treatment which the negroes received at the hands of the state and its employees contribute to its origin or aggravation? That is the question, in its specific and representative aspects, to which decent North Carolinians will demand an answer.

While on this general subject the Daily News is also moved to make inquiry upon a case nearer home. In our own Guilford county a negro who was shot in an affray was treated and dismissed from a hospital. Subsequently he was sentenced to the roads for his participation in said affray only to have his wound become aggravated, infected or whatever the case may have been, and bring his death 10 months later. His assailant has as a result been convicted of manslaughter; but that intervening term on the roads and effects of the treatment to which the victim may or may not have been subjected create a situation which is surely not as clear as it might be in some of the citizenry's minds.

HIGH POINT, N. C.
ENTERPRISE

MAR 8 1935

FOOTLESS NEGROES A MOCKERY OF JUSTICE

Hideous, indeed, is the loss of four feet which it would seem the terrible price of calling to attention of all North Carolina conditions in prison camps which we hope are not typical but which fear allow a barbarous type of discipline from which the state even more than its prisoners should

erunge. Charges of inhuman treatment of the two Negro convicts, confined for short terms in a Mecklenburg prison camp following conviction for minor offenses, are to be investigated; it is an investigation to which the fullest support should be given that those responsible be indicted, tried and sentenced to serve prison terms—under circumstances more merciful than they themselves imposed, let it be hoped.

No amount of investigating or correction can restore the feet of the two Negroes; nor can North Carolina relieve its conscience to any extent unless it makes certain that inhumane treatment of prisoners cannot bring a repitition of such a tragedy or similar misfortune to a state which long since has prided itself on having abandoned the leash as an instrument of torture and discipline in its prison camps.

The prisoners may have been unruly, refused to have worked and have cursed their guards, as the preliminary report suggests, but no offense listed can justify the loss of feet by amputation following freezing in a cruelty of what was certainly a "torture chamber" for those "unwhipped" by justice.

GREENSBORO, N. C.
RECORD

MAR 11 1935

Too Much Whitewash.

In the last few years, say the last five, some 50 to 75 prisoners committed to North Carolina penal institutions have died untoward deaths during incarceration. It is common knowledge that flagrant mismanagement, gross neglect and down-right brutality of the most hellish variety have been responsible for some of these deaths. There have been investigations, of course. And, in a few instances, grand juries have presented direct charges. But seldom has anyone been convicted

or punished. Too much whitewash has been used.

Now comes the case of the two Charlotte colored boys who have lost their feet. While serving short terms on the chaingang in Mecklenburg county for minor offenses these boys were chained to the bars of their cells in a frigid dungeon and compelled to remain there until—according to their statements, which are corroborated by convincing evidence—their feet were frost-bitten. They were finally spirited off to the central prison in Raleigh where surgeons finding their feet "dead" and rotting of gangrene amputated them.

The general assembly is making an investigation of these cases. Capus Waynick, recently installed head of the state highway and prison division, has declared he is going to see to it that no whitewash is used this time. The Record believes Mr. Waynick means what he says. All power to him. This damnable atrocity smells to high heaven. The atmosphere is tainted and murky. Turn on the light! Give the whole prison system an airing! Let the grand jury get busy. Figuratively, some heads ought to roll in North Carolina. Find out where the blame rests and let the axe fly, whether the responsibility lies with prison guard, boss, superintendent or doctor.

The Trouble With Prison Camps

From Elizabeth City (N.C.) Independent
Shocking conditions existing in a State Prison camp at Charlotte have been revealed in a recent legislative investigation. The investigation was inspired by the fact that two black prisoners, strung up in solitary confinement, suffered the loss of their feet by freezing. No more than we can expect in Southern prison camps anywhere just so long as low down white guards are employed to handle Negro prisoners.

We had more horrible conditions in a prison camp right here in Pasquotank about 20 years ago before The Independent exposed conditions and brought about an investigation that so shocked the sensibilities of local people that the chain gang in Pasquotank was soon thereafter abolished. Negro prisoners compelled to work on the

roads in pouring rain were permitted no change of clothing when chained in their bunks at night. Their ankles were shackled with steel bands thru which the guards ran a master chain when the convicts retired, locking this master chain to a post outside the bunk house—a dozen or more Negro convicts strung on a single chain, powerless to move about. These convicts were fed a daily diet of rancid fatback, boiled white beans, corn pone and molasses. Three times a week they were given violent purgatives to move their bowels. But not permitted to leave their bunks at night, the poor devils often were compelled to befool themselves in their beds. For which they were mercilessly cow-hided next morning. The flesh of their ankles was cankerous with sores inflicted by their chains, their backs cankerous with sores from many lashings.

Over in Gates County a weak-minded Negro prisoner confined in the county home, had one of his feet frozen one night for lack of bed clothing. The chairman of the board of commissioners amputated the frozen foot with a common hack saw. Farther south, revelations of the brutalities practiced by guards in prison camps have been even more shocking.

Occasionally the public is given a look into this or that prison camp and there is a short-lived flare of indignation and official promises of corrective measures. But conditions in our southern prison camps can never be corrected until we change our guards. In many instances, the white guards employed to handle Negro prisoners are mentally and culturally but little removed from the Negro convicts entrusted to their keeping. This brutally frank statement of the underlying cause of a great southern shame I defy any one to successfully challenge.

GREENSBORO, N. C.
RECORD

MAR 16 1935

Horror Tales Multiply.

Every day sees new and more frightful chapters added to the sickening and damning story of prison horrors in North Carolina.

The state's investigators now have before them, in the form of apparently creditable evidence, reports of ill and wretched prisoners chained by thug-guards to steel bars in frigid torture crypts, of sick prisoners going

without medical treatment because of the hard-heartedness, gross ignorance or downright criminal negligence of those employed and paid by the state to attend them when ill, of other prisoners expiring in agony—beaten unto death by man-tigers, dragged out and buried secretly in secluded spots in the black hours of midnight by hyenas that walk the earth in image of man.

In the face of these horror stories, that would be incredible were it not for the nature of the evidence by which they are in part at least substantiated, there is heard the suggestion that the state "return" to the lash as a form of punishment. Return?

"Q. 'What did they do to that boy (Barnes)?"

"A. 'They beat that poor boy while he was handcuffed because he spit on the floor. They put him down and beat him. It was terrible the way they treated him.'"

The question we have quoted from an Associated Press report was propounded by Dr. J. T. Burrus, of Guilford, in Raleigh yesterday in the course of the legislative investigation of the Mecklenburg prison camp brutalities. The answer was made by Woodrow Wilson Shropshire, while lying on a cot in central prison and speaking within hearing distance of James Barnes. Shropshire and Barnes, Charlotte colored boys, are footless. They had their feet amputated by surgeons in Raleigh, the operations being necessary, they declare, because of treatment they received while chained in "solitary" at the Mecklenburg camp. Shropshire described life in the Mecklenburg hell hole as "worse than whipping," being "shot," or "anything"—worse than death!

It is true that the whip as a means of punishing convicts was banned by official edict in North Carolina prison camps several years ago. But in view of what this footless colored boy relates, in view of what other witnesses have said, and in view of what is generally conceded as being a fact, why kid ourselves by making use of the word "return" with reference to convict lashings?

It is possible, of course, that there may be camps in North Carolina where the whip is not used.

But can anyone name such a camp?

Crime-1935

North Carolina.

WILMINGTON, N. C. NEWS

WILMINGTON, N. C. STAR

GREENSBORO, N. C. NEWS

MAR 31 1935

A VICIOUS CIRCLE.

Prison officials and legislators are out running around in circles, a vicious circle too, if ever there was one, when they talk of substituting the lash for solitary confinement as a means of punishing unruly convicts in North Carolina.

The citizenry recall too well the atrocities which characterized the rule of Black Aggie and which finally led to repudiation of such viciousness in the name of all that was decent and humane. Solitary confinement took its place. However poorly the change may, in certain instances, have worked out, denial of the right of convict bosses to lay hands or strap upon their wards represented basic progress; it moved towards that ideal which can never be attained but merely approached.

What North Carolina needs to re-member—and the Daily News ventures to say does remember—is that inhumanities broke out again not because of but despite the humanitarian ruling. And that gets back to the real problem, a personnel problem, defects and weaknesses of administration which may jar any program or policy. If prison camp officials misuse solitary confinement regulations, who is there to aver that restoration of the lash will find them any more capable of its handling than they were before it was abolished how-many years ago? Cap'n Bill, Henry or Jim, as the case might be, cannot administer solitary confinement without torturing or maltreating his victims; therefore we'll turn him loose with the lash again. And a fine lot of common sense that reflects!

Surely it must also be some sort of commentary that revelation of the possibility of return to the lash comes from L. G. Whitley, now assistant director of the prison division of the public works commission, who, as the Daily News recalls, was prison inspector for some years

and whose supervision or inspection of the less serious offenses, these failed to discover or do anything figures do not necessarily indicate about such outcroppings of bestiality, a decrease in the proportion of the as have occurred until a couple of total crimes committed by Negroes, short-term negro prisoners sacrificed but may indicate merely a transfer their feet to the cause of public intelligence and arousal.

CHARLOTTE, N. C. NEWS

MAR 28 1935

Crime in North Carolina.

(Wilmington Star.)

Thanks to Popular Government here are some figures on crime in North Carolina that challenge attention. They are culled from superior court records only and do not deal with offenses disposed of by inferior tribunals.

The first startling disclosure is that the white man is replacing the Negro as the chief offender. Whereas the Negro was responsible for 50.7 per cent of all crime in the state for 1913-1914, he can be charged with only 36.8 per cent at present, while the Nordics have advanced from 49 per cent to 62.4 per cent in the same period.

On the other side of the ledger is the equally significant fact that whereas 72 per cent of offenders before the courts of North Carolina were convicted, nowadays only 66.3 per cent are found guilty. Another point to be considered is that cases not prosessed by the courts have jumped from 6.1 per cent to 18.7 per cent. Strangely enough, the woman offender is gradually becoming less prominent in crime, and her participation decreased instead of increasing during the two decade period. In 1933 and 1934, only 869 women were before superior courts, as compared to 13,092 men.

Commenting on the increase in the number of white criminals, Mr. Dillard S. Gardner says: "The annual number of crimes by Negroes has remained almost static during the past twenty years, but the number by white persons has steadily increased. Since the inferior courts dispose of large numbers

of such cases from the superior to the inferior courts. However, since practically all major offenses are tried in the superior court, these figures may indicate that white persons are committing more, and Negroes committing fewer, serious offenses. More definite conclusions on this point will have to await studies of the distribution of crimes by types of offenses."

GREENSBORO, N. C. NEWS

MAR 10 1934

PRISON CAMP CRUELITIES.

While by no means accepting as proved all the charges made in connection with the amputation of the feet of a couple of negro convicts alleged to have been forced to stand for hours on frozen pedal extremities, the Daily News heartily approves of the most thorough investigation.

We are not certain that there is sufficient medical supervision for these camps, and we know the camp guards cannot qualify as hospital internes or even assistants. But there is one thing that should be remembered before the public indignation arouses itself in the advance of evidence of criminally cruel practices on the part of convict management; we have come a long way in the last double-decade; and if everything alleged in connection with this exception to decent treatment should be established as fact, the rule of humane treatment would be proven.

Not that we would demand complacency. There, no doubt, is still much room for improvement; but with eight or nine thousand prison population it would be strange, indeed, if some of them did not now and then fall victims to the mischance which overtakes freemen. Anyhow, let's don't lynch a con-

MAR 26 1935

CRIME IN NORTH CAROLINA

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vict guard on the ground that he didn't know the difference between frost-bite and erysipelas.

RALEIGH, N. C.
NEWS OBSERVER

APR 1 1935

Hard Question

Every person possessed of the rudiments of humanity must sympathize with the mother of Booker T. Watson, young Negro sentenced to die in the electric chair next Friday, who says that he would not be on death row "if he had his right mind." This young criminal, wearer of the fine Negro name of Booker T. is said to be only 15 years old and was even younger when he committed brutal murder. There is undoubtedly a question as to whether or not a state should kill a child. There is also, however, a question as to whether or not, if the State is going to kill anybody, it should not be most ready to kill brutal murderers of whatever age who have not their right mind and probably will never have it. It will be a terrible thing if the State electrocutes a child but it may be a worse thing if the State preserves a twisted criminal mind which may grow only to the manhood of a menace.

Whatever decision is made in the case of young Booker T. Watson should be made carefully with consideration not only for him but for the safety of the society in which he would be preserved by executive clemency.

We do not want in North Carolina an heir to the idiotic criminal menace of the late Sunshine Jones.

NEGRO TESTIFIES

PRISON TORTURE

Amputation of Both Feet Is Blamed on Alleged Cruelties of Convict Guards

CHARLOTTE, N. C., April 8 (P)—

A 19-year-old Negro boy, his leg stumps propped on a wastebasket because "they hurt hanging down,"

today told a superior court judge of treatment he said he received at a prison camp which he blamed for loss of his feet.

He was Woodrow Wilson Shropshire, first witness called as Judge Don Phillips, sitting as a committing magistrate, began a judicial investigation of his case and the parallel one of Robert Barnes, 19, who was imprisoned with Shropshire.

Shropshire was rolled into court in a wheel chair to make his accusations against Capt. Henry C. Little and three guards at the camp near here, but Barnes was still too ill from his amputation to attend.

Little and the three guards are charged with assault with intent to kill the Negroes by leaving them in punishment cells without heat or medical attention until their feet frozen and became gangrenous.

The guards who face charges are J. W. Eudy, R. C. Rape, and T. M. Gordon.

Stands Nine Days

Shropshire testified today that he and Barnes were chained to the bars of a punishment cell by Rape, who built a fire which went out a few minutes later, leaving them standing on a concrete floor, in an unheated building, in January.

Shropshire said he was chained standing nine consecutive days, after which he was advised to bathe his feet in hot salt water. Later he was given some salve which he applied. This continued for three weeks, he said, after which he was brought to Good Samaritan hospital, in the city, where it was determined amputation would be necessary.

He and Barnes, who was with him throughout, were then transferred to Central prison hospital at Raleigh, where the operations were performed.

Three Are Accused Of Prison Brutality

CHARLOTTE, N. C., April 6. (P)—Henry C. Little, former superintendent of a Mecklenburg (Charlotte) prison camp, and R. C. Rape and T. M. Gordon, former guards, today were arrested on warrants charging them with brutality to prisoners.

It was at Little's camp that Woodrow Shropshire and James Barnes, negro convicts, developed a condition necessitating amputation of their feet, incidents which brought on a legislative investigation of prison camp conditions and discipline of prisoners in North Carolina.

Little, Rape and Gordon were released under \$1,000 bonds for their appearance next Monday at a hearing before Superior Court Judge Don Phillips, sitting as a committing magistrate.

Winston Salem, N. C.
SENTINEL

APR 2 1935

A Point of Privilege?

A car driven by a Negro in Charlotte sideswiped a police officer's car, then careened into a parking lot. The officer followed and the Negro jumped from his car and attempted flight. Another Negro was with him. The officer, seeing the men in the act of running, opened fire. One of the Negroes was wounded.

Laymen are often the victims of sideswipers and hit-and-run drivers, but deponent has not heard of a layman bringing a gat into play in consequence thereof. Is this a privilege reserved altogether for officers whose cars have been sideswiped?

In London the policemen are not allowed to carry guns of any type. The wonderful efficiency of Scotland Yard is maintained in the absence of revolvers. In this country we probably have more dangerous types of criminals to deal with in the shape and size of gangsters and Dillinger-Nelson outlaws. But seeing as how some of our officers abuse the use of their guns, we sometimes wonder if—

Nashville, Tenn. Tennessean

April 12, 1935

Penal Tortures.

Tortures of a severity almost beyond belief in the Twentieth Century have been dealt to negro prisoners in a penal camp in North Carolina, according to testimony given at a hearing at Charlotte early this week.

A 19-year-old negro boy sitting with leg stumps propped on a waste basket, because they hurt him when hanging down, told a court of inquiry of brutal treatment he had received at a convict camp which he blamed for the loss of his feet.

He and another negro of his age, he testified, were chained to the bars of a dark punishment cell in January. At night they were allowed to lie down, but each morning they were chained in a standing position. The fifth day the negro's feet became so swollen that his shoestrings popped and he was not able thereafter to get his shoes on, he told the court. He was then required to stand shoeless on the concrete floor of his cell. One negro died chained to a standing position in the dark cell.

These details do not make pleasant reading. The negroes might have exaggerated their hardships, yet there were the stumps of their legs as evidence of their mistreatment. And after they told their stories and other timid negro witnesses had been heard charges were filed against two more prison officials in the torture case. The camp superintendent and camp physician were included in warrants already brought against the other four.

Such cruel treatment of prisoners belongs to the dark ages and any state which permits such conditions as were described at the Charlotte hearing to continue automatically places itself in that era. North Carolina, however, seems to be making a thorough investigation of the treatment these prisoners received and hope is encouraged that those responsible will be punished and steps taken to prevent such inhumanities in the future.

Winston Salem, N. C.

JOURNAL

APR 4 1935

Back to the Lash?

According to information from Raleigh state prison authorities are debating the question of returning to the use of the lash as a means of punishing unruly convicts. This proposal has grown out of the recent exposure of conditions existing in the Mecklenburg prison camps.

A prison camp in a sense forms a cross-section of society. The prisoners represent various temperaments and character types, some responding commendably to humane treatment, others of the more vicious classification refusing to comply with rules and regulations until compelled to do so. In dealing with the latter, officials may be justified at times in resorting to corporal punishment or its equivalent, in order to force compliance and maintain order.

There is no doubt but that somebody was guilty of culpable negligence in the case of the two Mecklenburg Negro prisoners whose feet were allowed to freeze while they were manacled in solitary confinement. The very system here seems also to be sadly at fault. But is it inhumane and intolerable for the prison officials to resort to the use of the lash?

Much probably would depend upon the extent of its use and the manner thereof. The trouble is that once again officially recognized, the lash is likely to fall into the wrong hands. If the State could devise some satisfactory and effective substitute that would impress even the most incorrigible prisoners, the lash should remain taboo. And there is a possibility that the worst of prisoners might respond to better treatment. While many are "mean" when they arrive at the camp, others may become so in resentment over the wrong kind of treatment.

Crime-1935

North Carolina.

ROCKY MOUNT, N. C. TELEGRAM

APR 3 1935

Hearings On Clemency

Parole Commissioner Gill will conduct hearings today to determine whether Booker T. Watson, 15-year-old Nash county Negro, is entitled to a commutation to life imprisonment of his sentence of death. There is, admittedly, a strong doubt that Watson will ever develop into a worthwhile citizen. Should we put aside all thoughts of mercy in dealing with this case, it is safe to add that were the life of Booker T. Watson taken by the State an eye for an eye, North Carolina would not suffer from its loss. On the basis of this standard, let us add, North Carolina can remove numbers of citizens without suffering economically or socially. On the other hand, a State which adopted such a policy would, to justify its course, have to create an opportunity first of all for citizens to become valuable units in the scheme of living. In as far as this Nash county Negro boy is concerned, he grew up in an environment not wholly unlike that of the jungle where the fittest to live endure the longest.

Watson shot a man to death in cold blood. In this case the man was, from all reports, a good citizen, a landowner, a valuable man in his community, a father. And the first reaction to such a crime is that the man who perpetrated it should be weeded out. That, to say the least, is the normal reaction. But society has never reached the point that it will agree to the elimination of misfits nor has it developed any sort of a classification by which men and women can be regarded as misfits.

We disagree with the death sentence pronounced on Watson because he is fifteen years of age, because in all his life he never had an opportunity to understand the complete futility of his course. We do not entertain any hopes that he can be of the least value to North Carolina but that does not relieve North Carolina from a responsibility in this matter.

CHARLOTTE, N. C. NEWS

The Police and the Law.

Chief Littlejohn has stated that although fingerprint expert Earle of the city police department was "a little hasty" in winging a recalcitrant Negro last week, the officer was acting in line of duty. He had tried to hold the Negro who had been drinking and whose car had collided with the officer's car, and when the man broke away and ran there was it is inferred, nothing else for the officer to do but to bring him down. We do not agree at all. Chief Littlejohn himself wouldn't have shot; he'd have taken the Negro later. Thus he would have been acting in accordance with the law, with the respect for human life which should restrain all out-done police officers and with the Rules and Regulations of the Civil Service Commission for the Police Department, which specify that—

"The circumstances under which a policeman may use his pistol are: In extraordinary cases, such as in the actual defense of his own or another's life; when attacked with deadly weapons, or in active pursuit of escaping prisoners charged with such felonies as murder, rape, housebreaking, arson, etc., and when there is no other means of apprehending him. Shooting at another is a crime, except when proven to be done as authorized by law . . ."

The prisoner who was about to escape from the fingerprint expert Earle was not a felon, was not an outlaw, was not, in short, a desperado. He was said to have been drunk and he was a Negro and that is an unhappy combination, but we have not yet authorized the police to execute or even to fire at unhappy combinations.

CLEMENCY WELL BESTOWED

The Daily News finds itself in thorough accord with Governor Ehringhaus' last-minute extension of clemency to Booker T. Watson, Nash county Negro youth, who was sched-

uled to die in the chair Friday.

Life imprisonment is nothing for

a 16-years-old youngster to look forward to, but there must be in it more satisfaction for a sentient citizenry in whose name Booker T. Watson, just at the Boy scout age, would otherwise have been marched into the death chamber, strapped into the electric chair and there re-

strained, with current coursing through his body, until a prison physician, turned from deeds of mercy to extinction, pronounced him dead.

Aside from the lad's tender age, and mentally he was credited with being only seven or eight, the equality of justice was involved. He was a nobody in whose fate very little outside interest had been shown. It was a blind justice indeed, in which would have failed to weigh his case alongside that of Alfred Denton, white lad of almost the same age and likewise from Nash county, who killed a neighbor not so many years ago and got off with two-three years in the reformatory or with that of Dwight Beard, his viciousness accentuated in his crimes climaxed by the murder of a merchant during the course of a robbery, whose death sentence was only a few days ago commuted. The environment which produced Watson on one hand and Beard on the other merited consideration by the organized society responsible for such contrasts.

There was still another element which entered into the Daily News' celebration anent the Nash county slaying. Watson quarreled with his landlord and members of his family. Strong words were passed; the negro boy, harboring a grievance and doubtless believing that he had just cause in his impetuous, irrational sort of way, got a gun and returned within a very short time almost directly, to get his man. From the legal viewpoint, there was premeditation; but there must be some doubt as to whether the boy was morally guilty of first degree murder. There is the possibility that he slew in a fit of anger, that his

was a crime of passion instead of unless Governor Ehringhaus intervenes.

Anyway, the Daily News conceives Comparisons are odious? Odious indeed when they reflect such inequalities in the sphere where equalities of all places are supposed to obtain.

Comparisons are admittedly odious; yet if they are justified anywhere it must be in the field of justice where equality before the law is hailed as the highest governing factor.

With that generalization, the Daily News approaches the case of Booker T. Watson, 15-years-old negro, who at present is on death row following his conviction of the murder of Hinsey T. Williams, Nash county farmer, on whose place he lived. Over against it is placed the case of Alfred Denton, white lad who some years ago, when he was 14, broke onto the front pages as the slayer of Theo Tant, a farmer neighbor in the self-same county of Nash.

Watson, as the Daily News recalls, shot his landlord immediately after a row which occurred one Sunday afternoon while he and Williams' son and several other boys were playing in the Williams' yard. Or, dered home, the negro returned shortly with a shotgun and killed the farmer as he slopped his hogs. Evidence in the Denton case, unless our memory serves us false, was that the boy hid in a tobacco barn and shot Tant as he drove by on a wagon. Tant had been accused of molesting Denton's still. The case attracted major interest, with press, pulpit and sentiment generally rallying to the boy's side. But that gets into the realm of punishment, which deserves a paragraph to itself.

The white boy was sent to Jackson training school, where he spent approximately three years before being dismissed by the state back to his old surroundings, influence and environment which now, incidentally, have again landed him in the toils of the law. In contrast, the black boy, who has had scarcely a voice raised in his defense, was found guilty of first degree murder and now awaits the death penalty or indifference on the part of

HIGH POINT, N. C. ENTERPRISE

MAR 12 1935

THE PRISON CLEANUP TAKING SHAPE NOW

MUTINY flaring up in the Mecklenberg prison camp where two Negroes claimed mistreatment which resulted in loss of their feet is not unexpected inasmuch as word had been passed among ignorant ones that the prison guards had been stripped of power to enforce orders.

This so-called "mild rebellion" is the outgrowth of conditions plus ignorance, not so much indignation on the part of prisoners as a retaliation against what appears to have been shocking cruelty in handling of the camp.

Chairman Waynick in his personal investigation of prison camp conditions finds that torture was not confined to the two surly prisoners now footless — another Negro died there last summer while hanging to the wall, undergoing the same form of punishment administered to the two now crippled men. "The fact," said Chairman Waynick, "left no doubt in my mind as to what I will do."

It is apparent that prompt and direct action to correct prison abuses is forthcoming. The missing feet cannot be restored to Robert Barnes and Woodrow Wilson Shropshire, but they may well be made a guarantee that never again will negligence, ignorance or indifference on the part of

State employes to provide adequate care and treatment make possible revelations of similarly cruel and inhumane treatment as indictment against this state.

Chapel Hill, N. C., Weekly
July 26, 1935

Nobody Is Guilty

We predicted several weeks ago that the officials accused of torturing and maiming two Negroes in the Mecklenburg county prison camp would be acquitted. This was no evidence of any unusual gift of prophecy on our part. Among citizens with any knowledge of the ways of the law, probably not one in a thousand expected any other verdict; yet probably not one in a thousand doubts that the prisoners were treated with outrageous brutality.

Shropshire and Barnes, youths 19 and twenty years old, were sentenced to short terms on the road, one for being drunk and disorderly, one for larceny. Placed in solitary confinement for some infraction of discipline, they were handcuffed to the bars of their cells. During part of the time they were thus confined, the temperature was 21 degrees below freezing. Their cells were heated by a small stove in which the fire quickly burned out. By their testimony a fire was built once a day, by a trusty's testimony twice. Their feet swelled so that they could not wear their shoes and must stand in bare feet on a concrete floor. Nine days of this; then three more days of solitary confinement when, though not "hung up" as they had been, they were still in cold, dark cells; then out in the camp where their frozen feet, growing steadily worse, were treated with a salve for "erysipelas." Finally they were taken to a nearby hos-

pital, and thence to the state prison in Raleigh. There, in order that their lives might be saved, their feet were amputated.

Five prison camp officials, including the camp physician, were put on trial. The original indictment of "feloniously torturing and maiming" the prisoners was quashed. The charges against two of the defendants were dismissed. The three others were tried only on counts of neglect of duty, a mere misdemeanor, and assault with a deadly weapon with intent to kill, an indictment under which of course there was not a chance of conviction.

When the trial ended the evidence of brutality had not been controverted. Yet, by reason of technicalities of the law and the persuasive powers of the attorneys for the defense, the verdict is that none of the camp officials was guilty of any act for which he deserves punishment. Cruelty was wrought—they were handcuffed to the bars but nobody is guilty. It is eloquent of the popular regard for the machinery of justice that the reaction of the ordinary man, when he reads the newspaper despatch announcing the result of the jury's deliberations, is reflected in the cynical question: "Well, what else did you expect?"

"The jury may have been impressed with the defense assertions that Shropshire and Barnes damaged their own feet to the point where amputation was imperative," says the *News and Observer*. "The jury may have believed, even as the defense urged it to believe, that during the long winter days of their solitary and shackled confinement, Shropshire and Barnes stuffed cloth between their legs

and the iron shackles, stopping the circulation of the blood in the lower limbs and thus producing the gangrenous state which brought them to the operating table just outside death's door.

"All this may satisfy the jury and the officials of the state prison system who directly and indirectly are involved. But it fails miserably to satisfy the most elemental promptings of a decency which is outraged when two human beings utterly within the power of the state are so far neglected that their feet freeze or rot within eyesight and calling distance of adequate medical attention.

"It makes no difference whether the condition had its origin in God's winter or in the despatch of man's folly. The most ignorant of lay attention would have indicated long before the period of solitary confinement was completed that the Negroes were dangerously sick men. "The Mecklenburg court peremptorily swept aside all suggestions that the two Negroes had been tortured. If this isn't torture, then we need a new word for whatever it is.

"We need also a determination that it shall not happen again." We are moved to inquire what, if anything, has been done by the state prison authorities to make sure that such an outrage cannot happen again. As a result of the disclosures in the case of Shropshire and Barnes, has the inspection system been improved? Has any effort been made to re-examine the prison camp personnel with a view to getting a better grade of men for superintendents and guards? Has any decision been made, by Chief Commissioner Waynick

and his associate commissioners, to present to the next legislature a demand—present it not in a perfunctory manner, but vigorously—that the salary level be so raised that positions in the prison will attract capable and decent men? We believe the people of North Carolina would be interested in answers to these questions.

White Supremacy Wins By a Close Margin

A GRUESOME story of chain gang torture—this time from North Carolina—has just come to public attention. Two young Negroes, serving a term on a charge of petty larceny, had their legs amputated half way to their knees in order to save their lives. Their four remaining stumps were exhibits A, B, C, and D in a lawsuit charging the convict camp captain, three guards and the camp physicians with assault with intent to kill. It was a lively two weeks' trial with the usual conflicting testimony. The Negroes said that they were manacled upright ten hours a day for nine days, last January. They told how they "froze night and day" and screamed for help, how each received a half biscuit and a half inch of water in a tin pint cup twice a day, and how, in March, their feet swelled and "burst" their shoes. The defendants denied mistreatment, contending that the feet were not frozen but that the prisoners induced a gangrenous condition by wrapping rags too tightly about them. Captain Little, one of the defendants, said at the trial that the method of punishment prescribed by the state authorities was "the most inhuman thing" he ever heard of. The defendants were acquitted by a narrow margin but at least one bright ray has emanated from the whole tragic procedure. The Greensboro Daily News, in a scathing editorial, says that "Shropshire and Barnes walked into the state's custody upon their own feet. While under the guardianship of the magnanimous commonwealth they lost them. . . . If superinducement of gangrene and subsequent amputation of both feet do not constitute torture, what . . . would, in North Carolina?" A distinguished Methodist minister writes that whereas "white supremacy" has won for the moment, public opinion in the state is thoroughly aroused against the whole reeking prison system and its inhuman tortures. All of which indicates that the south is on the way to demonstrate its ability to deal honestly with its own peculiar race problem.

Crime-1935

GREENSBORO, N. C.
RECORD

MAY 1

Negro Doctor Seeks Quash of Indictment On Unusual Grounds

Seeks Dismissal On Basis
That Negroes Were Ex-
cluded From Jury Lists

IT IS SURPRISE ACTION

First Time In Legal History
Such Grounds Have Been
Offered In Motion

The case of Dr. C. C. Stewart, negro physician, and Ollie Parrish, a white man, charged with second degree murder for the death of a white woman from the effects of an alleged illegal operation, reached an abrupt impasse in Guilford Superior court Wednesday and was continued for the term when counsel moved to quash the indictment against Stewart on the ground that negroes were excluded from the grand and petit jury lists.

Two motions were lodged, embracing both the grand and the petit jury bodies, based on the recent decision of the United States Supreme court in the celebrated Scottsboro case granting a new trial to the defendant Norris on the ground that negroes were excluded from the Alabama jury lists.

Much Excitement.

Lodging of the motions threw the courtroom into a state of tense excitement. It marked, some of the older lawyers said, the first time that such a motion had been made in North Carolina on such grounds.

Counsel for Dr. Stewart — Judge Spencer B. Adams, Norman A. Boren and Allen Adams—were well prepared for the occasion. They had subpoenaed as defense witnesses Chairman George L. Stansbury, of the board of county commissioners, and Register of Deeds R. H. Wharton.

clerk to the board, in order to show cause members of the said negro jury lists.

Surprise Move.

Their crafty move to quash the grand and petit jurors were selected bill against Stewart, founded on a Supreme court decision of such far-reaching and widely discussed

significance, apparently took Solicitor H. L. Koontz by surprise. Judge P. A. McElroy recessed court for a brief period while the solicitor, Chairman Stansbury and Register of Deeds Wharton under subpoena as state witnesses also, retired for a conference with them.

Counsel for Dr. Stewart were ready, they said, to argue their motion, but when Judge McElroy reconvened court Solicitor Koontz asked a continuance of the Stewart-Parrish case rather than enter into an argument concerning the motions.

"These motions," said the solicitor, referring to the papers before him, "were not filed with me until 10:16 o'clock." The solicitor explained that he desired a continuance of the cases in order to make "a careful and proper study" of the merits of the motions and the facts alleged therein.

Continuance Granted.

Agreeing that the state should be given time in which to study the matters at issue, the court ordered the cases continued. The next criminal term is a one-week session which will be held the week of June 17, with Judge McElroy presiding.

Dr. Stuart some weeks ago obtained his release from the county jail under \$5,000 bond. Parrish, however, has been confined since last November in default of a \$5,000 bond. Upon motion of Henderson and Henderson, counsel for Parrish, and with the consent of Solicitor Koontz, the court reduced this defendant's bond to \$1,500. It was said that the surety would be immediately furnished.

The Stewart-Parrish case, in which

the state is asking for a conviction for second degree murder, had just been called for trial when the motions to quash were filed.

Motion Allegations.

The motions allege that Stewart is a "colored man of African descent, and a member of the black or negro race; that he is a citizen of the United States of America and is subject to the jurisdiction of the state, and also of the state of North Carolina . . ."

The motions further allege that the bill of indictment "found and returned against him is invalid and void, and should be quashed be-

cause members of the said negro or black race, and persons of African descent, were excluded from the jury lists of Guilford county from which the grand and petit jurors were selected solely because of their race . . ."

Equal Rights Issue.

It is alleged that such exclusion of negroes from the jury lists deprives them of the equal protection of the laws of the United States, and abridges the privileges and immunities that are his by virtue of his aforesaid United States citizenship; and that such action on the

part of the authorities of Guilford county, North Carolina, constituted a violation of the constitution of the United States of America, and more especially section one of the 14th amendment to said constitution.

The motions go further to recite that "not only was racial discrimination practiced in the selection of the grand jury aforesaid and of the lists from which the same was drawn, but for a number of years no member of the black or negro race, and no person of African descent, has served on any grand or petit jury, or been placed on the lists from which the same are drawn, in Guilford county . . . notwithstanding the fact that there are several thousand negroes who are citizens and residents of said county, many of whom are property owners and free-holders, and have paid all the taxes assessed against them for the requisite year, and who are of good moral character, and are possessed of sufficient intelligence, and who possess all the qualifications that may be required by the laws of North Carolina for jurors, included among which are several who are members of the so-called 'learned professions,' all of which said discrimination and exclusion violates and contravenes the constitution of the United States."

No Chance For Ruling.

The trend of events permitted the

court no opportunity to rule upon the motions. There was no argument directly concerning their merits or allegations. The continuance precluded any such.

Dr. Stewart and Parrish were indicted last December for first degree murder, but the state is asking only for a second degree conviction. The woman in the case, Miss Ethel Smith, of Guilford county, died November 29, 1934—Thanksgiving day.

Stewart and Parrish had been arrested November 12, however, on the charge of performing an illicit operation, and aiding in the performance of such an operation, respectively. The murder charge was preferred upon the death of the young woman, whom Parrish is alleged to have sent or taken to the physician.

The case of the young woman was investigated by Mrs. Minnie Dick Hinton, case supervisor of the county welfare department, who testified at the preliminary hearing that Miss Smith made a death-bed statement implicating the two defendants.

Racial Discrimination Charged By Attorneys Defending Dr. Stewart

Move That Indictment Against Negro Physician Be Quashed
Because Negro Names Were Excluded From Jury Lists.
Exception to Trial Venire Also Filed—As Result, Murder Case Is Continued Until June.

mandated to jail in default of a similar bond.

Absence of negro names from grand jury and petit jury lists yesterday brought allegations in Guilford Superior court of racial discrimination and resulted in the continuance of the case charging Dr. C. C. Stewart, negro physician, with murder and abortion.

Following the death November 29, 1934, of Miss Ethel Smith from the effects of an alleged illegal operation, was based on the recent United States Supreme court decision which found error in the Scottsboro, Ala., case because it appeared no negro names had been placed on the jury lists.

Their action brought North Carolina, for the first time since reconstruction, face to face with the question of negro jurors.

Counsel Prepared to Argue.
Counsel for the negro physician came prepared to argue their motion.

North Carolina

They had summoned as witnesses Chairman George L. Stansbury, of the board of county commissioners and Register of Deeds R. H. Wharton, clerk to the board, by whom they planned to show that negro names had not heretofore been placed in the jury lists.

When the motions were filed, Judge P. A. McElroy, who is presiding over the one week term, recessed court for a short while in order to give Solicitor H. L. Koontz time for a brief conference. When court reconvened, the prosecutor asked that the case be continued until the June term.

"These motions," he said, "were not filed with me until 10:16 o'clock." He explained that he wanted time "for a careful and proper study" of the facts involved.

At this point, Glenn Henderson and Worth Henderson, counsel for Parrish, moved their client's bond be reduced to \$2,500, which was agreed to by the solicitor and allowed by the court.

Continuance of the case left the motions in the pending status. It is likely Judge McElroy will rule on them at the June 17 term.

Koontz Declines Comment.

Asked after court if he had any comment to make on the motions, Solicitor Koontz said that he had not, except that they were "matters of some significance" and that he would like first an opportunity to "think the thing through before making any comment."

Setting forth that Defendant Stewart is a member of the negro race, the motions allege that the bill of indictment "found and returned against him is invalid and void and should be quashed because members of the said negro or black race and persons of African descent were excluded from the jury lists of Guilford county from which grand and petit jurors were selected," the exclusion of the negroes being "solely because of their race or color."

It is alleged that this exclusion denied the defendant "the equal protection of the laws of the United States and abridged the privileges and immunities that are his by virtue of the aforesaid United States citizenship."

No Negroes On Jury Lists.

The motions further recite that "not only was racial discrimination practiced in the selection of the grand jury aforesaid and of the lists from which the same was drawn, but for a number of years no member of the black or negro race and no person of African descent has served on any grand or petit jury or has been placed on the lists from which the same are drawn in Guilford county."

Court observers differed on the effect of the action with respect to the case in question, but most of them agreed that it ultimately will mean the placing of negro names on the jury lists not only in Guilford but in other counties of the state.

Placing of the names on the lists, however, does not necessarily mean negroes will soon sit on the juries. In the words of one of the defense lawyers responsible for filing the motions, it will not, in the long run, mean a thing since prospective negro jurors will be stood aside, for one reason or another, in capital cases involving a negro as a defendant.

Greensboro News

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Following the death November 29, 1934, of Miss Ethel Smith from the effects of an alleged illegal operation, Dr. Stewart and Ollie Parrish, young white man, were charged jointly with murder by the grand jury. In addition, the physician was charged with abortion, the white youth with aiding and abetting abortion. At a previous term of Superior court, the state announced it would not seek to convict the defendants of more than second degree murder in the capital case. Dr. Stewart was released under \$5,000 bond. Parrish was remanded to jail in default of a similar bond.

File Motions To Quash.

As the case was called for trial Wednesday, Norman Boren, Judge Spencer B. Adams and Allen Adams, counsel for the negro physician, filed motions to quash the indictment and the trial venire on the grounds that negro names were excluded from the jury lists. They also filed an exception to the trial venire. Their action was based on the recent United States Supreme court decision which found error in the Scottsboro, Ala., case because it appeared no negro names had been placed on the jury lists.

Their action brought North Carolina, for the first time since reconstruction, face to face with the question of negro jurors.

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Knoxville, Tenn. News Sentinel

March 19, 1935

Our Medieval Prisons

SHOCKING conditions are revealed in North Carolina prisons following the story of two Negro convicts tortured in shackles until it was necessary to amputate their feet. A legislative investigation shows that convicts are underfed, beaten and brutalized for minor infractions of rules.

Some are forced to stand upright for eight or ten hours a day on cold floors, their ankles bound in irons, their arms shackled to bars. The committee now is searching for graves of alleged victims said to have suffered death at the hands of prison guards.

Such sadistic practices are not confined to North Carolina. They are all too common in America's schools for crime, its city and county jails, workhouses, chain gangs, reformatories and penitentiaries. Although denounced by every intelligent criminologist, extreme punishment continues to be the rule in most institutions.

Nearly four years ago the Wickersham

Commission found the whole American penal plant a gigantic failure. Each year through the 3000 penal institutions of the country there passes a procession of nearly 400,000 persons. The great bulk of them come out unregenerate and dehumanized. Politics, favoritism, overcrowding, idleness, disease, poor food, poor medical care, poor ventilation, and torture have left their stamp upon them.

Mounting crime statistics prove the failure of the old but undiscarded methods. Prison cruelty does not pay. It makes men into public enemies, inspires prison riots, degrades whole prison populations.

"Instead of cowering on a man," said the Wickersham Commission, "repressive rules and tortures have aroused a hundred to greater hatred and discontent."

WASHINGTON, D. C.
NEWS

JUL 23 1935

ATROCITY STORY

FROM North Carolina comes an atrocity story shading anything that has yet emerged from the Italian-Ethiopian propaganda zone.

Last January two Negro convicts were confined in the chain gang's "dark house," on the charge that they warmed their feet against a fire contrary to a guard's orders. In March the convicts' legs were amputated just below the knees. They said they were forced to stand in freezing weather 10 hours a day for nine days and that their feet froze. Three prison officials, arrested and tried for assault, denied this. They said the men had made amputation necessary when they stopped circulation by padding leg-irons with rags and strings. The legislature provided the victims with artificial legs and gave them sinecure jobs for life. The jury acquitted the prison officials.

But North Carolina does not stand acquitted of penal cruelty. A legislative committee found chain gang convicts starved, beaten, brutalized and tortured for minor infractions of prison rules.

Such barbarities are not confined to North Carolina. They are far too common in the work houses, chain gangs, city and county jails and state penitentiaries thru which 400,000 men pass each year for the most part unregenerate and impenitent.

Cruelty practiced on prisoners never pays. It confirms men in crime and makes them public enemies.

"Instead of cowing one man," the Wickersham Commission said, "repressive rules and tortures have aroused a hundred to greater hatred and discontent."

COLUMBUS, O.
CITIZEN

JUL 25 1935

ATROCITY STORY

FROM North Carolina comes an atrocity story shading anything that has yet emerged from the Italian-Ethiopian propaganda zone.

Last January two Negro convicts were confined in the chain-gang's "dark house," on the charge that they warmed their feet against a fire contrary to a guard's orders. In March the convicts' legs were amputated just below the knees. They said they were forced to stand in freezing weather 10 hours a day for nine days and that their feet froze. Three prison officials, arrested and tried for assault, denied this. They said the men had made amputation necessary when they stopped circulation

by padding leg-irons with rags and strings. The Legislature provided the victims with artificial legs and gave them sinecure jobs for life. The jury acquitted the prison officials.

But North Carolina does not stand acquitted of penal cruelty. A legislative committee found chain-gang convicts starved, beaten, brutalized and tortured for minor infractions of prison rules.

Such barbarities are not confined to North Carolina. They are far too common in the work houses, chain-gangs, city and county jails and state penitentiaries through which 400,000 men pass each year for the most part unregenerate and impenitent.

Cruelty practiced on prisoners never pays. It confirms men in crime and makes them public enemies.

"Instead of cowing one man," the Wickersham Commission said, "repressive rules and tortures have aroused a hundred to greater hatred and discontent."

NORFOLK, VA.
LEDGER DISPATCH

Black Scoundrels Froze Themselves

In the long, long history of crime in the Southern states, few more atrocious offenses are recorded than those black crimes committed against the peace and dignity of the sovereign State of North Carolina by two short-term Negro convicts in a prison camp near Charlotte.

During the cruel cold of the winter, these malefactors were kindly condemned by those placed over them—or by one of those placed over them—to stand chained in an unheated cell for nine days, off and on. What dastardly crime they had originally committed to bring upon themselves short terms in a prison camp, under the tender ministrations of the gentlemen of their guard, is not recalled. Nor does a faulty memory bring to mind the infamy which caused their thoughtful guardians to punish them, far more in sorrow than in anger, for their hideous violation of some wise prison-camp regulation by subjecting them to the trivial, almost childish, torture of shackled confinement in a standing posture in a nice, cold cell in the camp.

Whatever fearful offense they had committed before their sentence and whatever brutal violation of prison-camp rules and regulations they had dared perpetrate, kindness and mercy induced their soft-hearted keepers to refrain from inflicting any deserved punishment upon them—other than the slight

manacled and other torment mentioned. And yet, merely because their feet froze and became gangrenous and had to be cut and sawn off, they were guilty of the base and despicable ingratitude of charging that their good keepers were responsible both for their long agony, for the freezing of their feet, and for the simple little amputations which merely maimed them forever. Some persons in North Carolina, and elsewhere, actually believed these foul slanders. Even the Legislature of North Carolina, after an investigation, accepted the word of these criminals—and, remember, they were nothing but Negroes—and voted to provide them with artificial limbs and to place them in permanent jobs in Raleigh. Worst of all, some misguided grand jury went so far as to indict five former officials of the prison camp in which these degraded Negroes had been kept at the expense of the state.

But justice will be done, though the heavens fall. All five of the wickedly accused officials have been acquitted—two of them by order of the presiding judge and the other three by the untterrified jurors of Mecklenburg County, who, to their eternal honor, refused to permit the state or any of its officials, however humble, to be maligned, bullied, mistreated or trodden upon by lame Negro miscreants. Of course, there was something back of the vicious charges made by these Negro convicts against the public servitors who were charged with the duty of holding them in custody. And the defense, with something of knightliness, brought out that something. THE BLACK SCOUNDRELS HAD FROZEN THEIR OWN FEET OFF! They had wrapped rags and cords so tightly about their ankles that they had cut off the circulation of their blood! Deliberately and wantonly—and, we take it, for the purpose of bringing obloquy upon their keepers—they had frozen their own feet off!

What a tribute it is to the inexorable character of justice that this black crime was discovered in time to save the brave and faithful officers of the prison camp from unjust punishment. We must console ourselves with that reflection, even while we realize that somewhere in this foul thing there is something of Hell itself.

JUL 22 1935

Acquitted!

A jury of Mecklenburg county citizens—"good men, and true"—finds that Capt. Henry C. Little, veteran prison camp superintendent in Mecklenburg, did not "assault with intent to kill" the "sassy" young negro convicts, Woodrow Shropshire and Robert Barnes. Further, the jury finds that the gangrenous condition which necessitated the amputation of these negroes' feet is not chargeable to mistreatment or neglect on the part of the "prominent" Charlotte medico, Dr. C. S. McLaughlin, prison physician, nor R. C. Rape, prison guard. With the acquittal of the three convict camp officials, a North Carolina Superior court, in effect, writes for the trio a clean bill of health.

The prosecution charged that these darkies, short-termers, were chained to their cell bars in solitary confinement last winter at the Mecklenburg camp, that their feet "froze," and that they were almost starved. Admittedly, the negroes' feet were almost "rotten" when their condition was finally revealed to the public through a Charlotte newspaper, and when state employed surgeons cut the feet off. The Mecklenburg jurors were obviously impressed greatly by defense evidence to the effect that Woodrow and Robert tied cords and strips of cloth about their ankles, thus cutting off circulation, and necessitating amputation.

Character witnesses and others testifying for the defense gave Captain Little, Dr. McLaughlin and Guard Rape excellent characters. Woodrow and Robert were, it was implied, just a couple of ne'er-do-well "niggers." Was it not presumptuous for them to protest the acts of a great state? Of what consequence were they? They had no wealth or influence. They were ignorant and shiftless; and, had they not been convicted of crimes? Perhaps the state performed a generous act in having its doctors save their lives by cutting off their feet. And

did the state not furnish a solicitor and an assistant solicitor to appear in their behalf against the state's own officials who were charged with "torturing" them? Had they no gratitude?

However, the fact stands out that these negroes—and are they not, after all, human beings?—were helpless and wholly in the power of the state when the trouble with their feet first began. This, we believe, was brought out in evidence offered during a trial lasting two weeks. It appears, then, that the negroes' feet developed a gangrenous condition while they were in a North Carolina prison camp and that their feet were "freezing" or "rotting" while they were, obviously, in easy calling distance and in eyesight of the state's agents entrusted with the care of prisoners.

If no crime was committed against these footless negroes, then, presumably, we must assume that other Woodrows and other Roberts may, with the state's approving stamp, be accorded treatment similar to that meted out to the negroes, who surprisingly enough, lived to tell the story of what transpired behind the scenes in the hell hole at the state's Mecklenburg convict camp.

MAN IN CASE DOOMED TO DIE BY GAS

**George France, Alias
Jake Johnson, Gets
Extreme Penalty**

CONFESSION MADE

**Prosecution Rejects
All Colored Tales—
Men Called**

WENTWORTH, N. C.—(ANP)—Hope that Negroes would be on the jury selected to try George

France, charged with criminally assaulting a white woman, were blasted here Saturday afternoon, August 10, when several members of the race were called for jury service and each in turn rejected following peremptory challenges on the part of the state. He was sentenced to die in North Carolina's new lethal gas chamber.

France was returned here from Raleigh Thursday noon, where he had been carried for safekeeping following his arrest in West Virginia. He had first contended that at the time the attack was supposed to have taken place he was working at the West Virginia Chemical Co., Huntington, W. V., and that prior to that time he was serving a term in West Virginia State Prison.

The case was followed with much interest, especially since the rejection of Negroes for jury service on the opening day of the trial. This marked the first time that Negroes had been called to serve on a jury in Rockwell County where the charge was rape.

It was the first time since the United States Supreme Court's Scottsboro decision that Negroes had been called for prospective jury duty in the state in the case of a member of their race charged with criminal assault in North Carolina.

France is also known as Jake Johnson. He is 35 years old. He was sentenced to death in Rockingham County Superior Court here August 10, for criminally attacking and robbing Miss Ann Grogan, 65-year-old retired school teacher of near Leaksville last February, after he confessed the deed to Sheriff L. M. Sheffield the day previous before he was arraigned before Judge Julius A. Rousseau. He pleaded not guilty on advice of his court-appointed counsel, when arraigned.

Johnson related to the sheriff details of his six-months flight from the law, telling how he managed to escape a posse in Henry County after he had been seen and pursued.

Describes Escape

The fugitive concealed himself for two days in Rockingham County, near the scene of his crime, he told the sheriff. On the second day he went into Henry County where he was chased by a posse, and escaped by wading into a creek and hiding beneath the boughs of an overhanging tree near the bank, he said. He also went to Norfolk and Roanoke, stopping in transient shelters.

Sheriff Sheffield quoted the accused as telling his attorneys, Joe W. Garrett, of Madison, Jules McMichael, of Wentworth, and D. F. Mayberry, of Reidsville, all white, that he was indifferent as to whether he was tried by jury or pleaded guilty. The attorneys decided to permit

him to go to trial. After 15 minutes deliberation a jury of white men found him guilty, returning their verdict about 1 o'clock Saturday afternoon. Judge Rousseau promptly sentenced Johnson to be put to death by lethal gas at the state penitentiary at Raleigh on September 27.

Victim on Witness Stand

The verdict was received without demonstration by a filled court room. The defendant showed no emotion, but received the verdict in resigned manner.

Heavily guarded by state patrolmen, Johnson was removed almost immediately to the state prison at Raleigh.

On the witness stand, the elderly Miss Grogan positively identified Johnson, whom she had known for some years.

Sheriff Sheffield travel 1,200 miles in search of Johnson during the six months following the crime. He was arrested in Charleston, W. Va. for beating Mrs. F. Guy Ash, wife of the adjutant general of West Virginia with a flatiron after she had awakened in the night to surprise him in the act of robbing her home.

The sheriff before the trial said "feeling is running high in Leaksville," where France was charged with the attack on Miss Grogan.

August 22, 1935

A Question of Ethics

The fatal shooting of a Negro convict who was fleeing from a state highway prison camp near Hendersonville brings to the front again the question of whether guards are not exercising too much authority by blasting away at fleeing prisoners. Whether the guards are given this authority by superiors or whether they assume it is secondary; the point is that in so doing they are undertaking to act not merely as guards but as judge, jury and executioner.

It is argued that if guards do not have the authority to shoot fleeing prisoners they have no means of preventing escapes. The answer is that, in the first place, it should be so arranged that prisoners have no opportunity to flee and that, in the second place, it is better that they escape than that they be shot down for at-

tempting it. After all, to kill a man for trying to break away from a prison camp is in effect saying that attempted escape is a capital offense as deserving of death as murder. Yet everyone knows this is not true.

Moreover, to allow guards to shoot fleeing prisoners is to allow imposition of the death sentence without trial and without conviction. This is a reversion to the autocratic tyranny of the middle ages which has recently been revived in Germany and Russia but which is not condoned in the United States.

Crime - 1935

North Carolina.

Echoes Of Spanish Inquisition Is Revealed In Carolina Prison Camp

Launch Investigation Into Unheard-of Brutality At Charlotte.

CHARLOTTE, N. C., March 14—(ANP)—Echoes of the brutality and inhuman cruelty of the Spanish Inquisition were heard here this week, following revelations that two Negro prisoners in Mecklenburg County camp, had been chained by convict guards in an upright position in a small brick "dark house," for 12 days during the coldest part of the month of January, causing their feet to freeze to the point where they are almost "falling off."

It is expected that the prisoner, Woodrow Wilson Shropshire and Robert Barnes, 19 and 20 years old, respectively, will have to have their feet amputated in order to save their lives as a result of this treatment. They have been transferred from the county camp to Raleigh where they will receive treatment in the hospital of central prison. County physician C. S. McLaughlin said the youths had suffered from erysipelas.

"They appeared to have trench feet which would have gotten sore anyway," said J. B. Roach, head of the State penal division.

Then he passed the buck to the prison physician. Dr. George S. Colman, whom he quoted as saying that he "would cure the convicts within ten days." Roach said that when reports of the boys' condition and their charges of inhuman treatment reached him, he launched "an investigation at once."

No Fault Found

Roach said that no "fault was found with the prison camp authorities" and no charges would be preferred against them.

Despite this attitude on his part, another investigation will be opened by the State Board of Charities and Public Welfare, according to Mrs. W. T. Bost.

Upon orders from the Raleigh of-

on reduced rations is the punishment usually accorded prisoners.

Dark Houses Abolished

The prison heads claimed that all the dark houses had been abolished and that the cells in which the two young Negroes were confined are in a square brick building with ventilation and light.

"When they complained of their feet, I brought them out," said Captain Little, who has been connected with penal institutions for 46 years.

They had wrapped rags tightly about their ankles and had slipped the shackles down tightly over these wrappings.

"I took all that stuff off and I could then slip my hand down between the shackles and the legs. I think it is probable that these tight wrappings may have caused their blood to stop circulating freely and that they may have helped bring on the trouble they have now. I don't know.

"But they were treated just like the family to gather in. No light, save in the center, low a ghastly blue blurr. You think of crystal gazers. No, this is the blue, dark light to hell.

We stand on the threshold of the entrance and look. Our blood chills. Our mind is numb. We pick out figures. the reefer smokers

Lancaster, S. C. News
March 19, 1935

THE CHAIN GANG CASE

The case of Robert Barnes and Woodrow Wilson Shropshire, the two young negroes who had their feet amputated as a result of some kind of infection while on the chain gang camp near Charlotte, is one that has a number of peculiar angles. These two negroes, one of whom formerly lived in Lancaster, claimed that their feet were frozen while chained to the wall in the dark house at the chain gang camp.

Whether their feet were frozen or not is not proved but it does seem as though the boys should have been given medical attention before their feet were in such condition if they were not frozen.

These two boys probably gave the chain gang officials a good

deal of trouble but whether their feet were frozen or not it seems as though they were not cared for in a manner that was very humane. The state of North Carolina is now making an investigation of chain gang camps and as a result of this affair in Charlotte all chain gangs will be investigated. In this case all the camps will be under close scrutiny because of the treatment in one camp.

Wilmington, N. C. News
July 17, 1935

NOTE ON JUSTICE

Two Winston-Salem negroes have been sentenced to die in the lethal gas chamber at Raleigh for the holdup murder of another negro in the Twin City.

This newspaper, which usually does not approve of capital punishment, hails this verdict, since it is the law of the state that first degree murder be punished by death.

It is seldom that southern courts and juries seem inclined to visit the supreme penalty where only negroes are involved, and therein they commit a grave error.

The slightest condoning of a crime of any nature breeds in the minds of the offender and his friends a disrespect for courts and disregard for law that is dangerous to the entire social structure.

When gangsters first began the gentle art of putting rivals "on the spot," big city police were not alarmed. They seemed at times to follow the idea that so long as only gangsters were concerned it might be a good riddance to let them depopulate their own numbers.

But the gangster took advantage of that. He soon went outside the underworld. He intimidated witnesses; he assassinated public officials, and in several instances even murdered innocent children who stood between him and his prospective victim. In the end, it was necessary for the federal government to rise and crush this product of the post-war days.

So in North Carolina where there are only white courts, white prosecutors and in most instances white juries. Murder is the most annoying crime in the state and the most frequent. It is incumbent on juries where an all-negro murder is concerned that they give it the same consideration as they would were race issues not involved. By so doing, they will teach the negro killer and potential killer a deeper respect for orderliness.

'CRUELTY' RECITED

Charlotte Negro Tells Court of Imprisonment

CHARLOTTE, N. C., July 10.—(P)—A story of nine days' imprisonment in a dark cell with his feet and hands shackled and a food ration of two half-biscuits daily was related by one of the two prosecuting witnesses today as the state opened its case against five former convict camp officials charged with mistreating them.

The witnesses, Woodrow Wilson Shropshire, 21-year-old short term negro convict, sat in the witness chair with his footless stumps pointed directly at the jury. The state contends his feet had to be amputated after they became frozen as the result of confinement in the dark cell during sub-freezing weather.

Robert Barnes, the other young negro prisoner whose feet were also amputated, is expected to follow Shropshire to the stand tomorrow.

Shropshire said a small fire was started in the dark cell each morning but it soon burned out and from then on until the next morning he and Barnes would be without heat.

The defense contends the gangrenous condition of the negroes' feet was caused by their wrapping cloth tightly about their ankles under their shackles.

The five defendants are Henry C. Little, for 46 years a chain gang boss in this county; Dr. C. S. McLaughlin, and three guards, T. M. Gordon, J. W. Eudy and R. C. Rape.

Men Whose Feet Rolled See Three Freed of Torture

N.C. Jury Acquits Prison

Officials as Court Reduces Charges.

VICTIMS SHACKLED TO ICY CONCRETE

Feet Were Cut off to Save Their Lives.

CHARLOTTE, N.C.—With the Mecklenburg Superior Court pre-emptorily sweeping aside all suggestions that Woodrow Shropshire and Robert Barnes, whose feet

were cut off after solitary confinement, had been tortured, a jury today and then spent eighteen days acquitted three white former con-

vict camp officials, Sunday, of "feloniously torturing and maiming."

Those freed were Dr. C. S. McLaughlin, former prison physician, and R. C. Rape, a guard, charged with neglect of duty, and Henry C. Little, former camp superintendent, charged with assault with intent to kill.

Defense Blames Victims

The state charged that Shropshire and Barnes, short-time convicts, were confined last winter in an unheated cell, and that their feet froze, necessitating amputation, from gangrenous infection. The defense, denying mistreatment, sought to show that the men were responsible for the condition of their feet by wrapping rags and cords about their ankles, curtailing the blood flow.

Assault charges against Dr. McLaughlin and Rape were dismissed on Friday by Judge Warlick upon completion of evidence. The three acquitted on Sunday, together with T. M. Gordon and J. W. Eudy, camp guards, were originally indicted on several counts, including three felonious charges, assault with a deadly weapon, maiming and torture.

In Court with Stumps

Charges against Gordon and Eudy were dismissed early last week. Shropshire and Barnes, the stumps of their legs exposed to the jury, were the chief prosecution witnesses. All defendants were white.

Shropshire, 19, and Barnes, 20, were sentenced to serve short terms on the state highways, last winter, one for being drunk and disorderly, the other for larceny. Testimony in the case gave the following versions:

For an alleged insubordination at a county prison camp, they were "hung up" in solitary confinement in dark cells for nine days, from eight to ten hours a day. They were handcuffed to the bars of their cells with arms outstretched and feet shackled to the floor. Rations consisted of half a biscuit and water twice a day.

Chained to Icy Floor

For a part of the time they were thus confined, the thermometer dropped to twenty-one degrees below freezing. The small stove in their cells was lighted only once a day, according to testimony. The boys' feet soon swelled so that they could not wear their shoes, but had to stand shackled on the icy floor.

Chained to a ring in the floor, they slept on a thin mattress under scraps of blankets. Under the shackles riveted to their ankles, Shropshire and Barnes tied pieces of blanket to keep the iron from the skin. Their feet swelled until the strips became imbedded in the flesh.

Flesh Drops Off Bones

They were released in twelve days and then spent eighteen days in the prison camp. The condition

of their feet grew steadily worse as the gangrene from which they were suffering was treated merely with salve as erysipelas.

Finally, with the flesh of their gangrenous feet rotting and dropping off the bones, Shropshire and Barnes were taken to a local hospital. But past aid, they were taken to the State Prison Hospital at Raleigh. There, in order to save their lives, the youths' feet were cut off.

Reforming the Chain Gangs

The Macon Telegraph

North Carolina has been in the throes of excitement recently over the conduct of its chain gangs. Two Negroes who lost their feet half way up to the knees caused the excitement. They claimed that they were forced to stay in the "dark house" of the chain gang, and were manacled upright ten hours a day, and that they were deprived of warmth and covering while the weather was freezing.

In March a gangrenous condition appeared in their feet, and it is claimed that if a Raleigh surgeon had not amputated the legs near the knee both Negroes would have been dead. The stumps were in evidence in the courthouse a week ago during the trial at Charlotte. The trial was that of Captain H. C. Little, three of his guards and Dr. C. S. McLaughlin, camp physician, all charged with criminal cruelty.

The defense was that the Negroes stuffed cloth between their flesh and the leg irons worn by them; also that the Negroes had plenty of heat and covers.

The defense also claimed that inasmuch as the state had furnished them with new artificial legs, and had given them sinecure jobs with the State Highway Commission they should have appeared in court with their new underpinnings instead of coming on their crutches and standing on their "stumps." The Negroes answered that they had not yet become accustomed to the use of their new implements of ambulation.

During the trial the judge, Wilson Warlick, kept reminding the court and jury that "somebody would pay".

The Negroes' offense on the chain gang was said to be that they refused to work when so ordered. Their reply was that they were sent to the dark house because they dared to warm their feet at a roadside fire. Robert Barnes, one of the Negroes, was sent up for receiving stolen goods. Woodrow

Wilson Shropshire, the other, was in the gang for driving a car while intoxicated.

Of course, if the gang officials are convicted, the case will go on up; but the main point of interest now is that the entire citizenship of North Carolina is aroused over the horrors of the reeking chain gang system. It has never been humane at best, and when it comes into the limelight at its worst, it is disgusting to the sensibilities of any civilized man or woman. It would never have been tolerated this long among a so-called enlightened people if it had not been for the fact that its victims have rarely had much influence or strong family connection. Even when convicts have been from the upper strata of society, they had usually lost their influence through bad reputation, until their blood kin had turned against them. And even then the convict of the higher order was given a trusty's position and often a horse to ride, or mules to drive.

When the lowly and defenseless are abused too severely and too far, and the public learns about it, a terrible reaction occurs. And that has happened in the North Carolina case.

Georgia is in no position to make faces at North Carolina, nor to assume a holier-than-thou attitude. She has had her share of abuse for the same class of cruelties, and she can't say that it was entirely undeserved. Perhaps the revolting public opinion has caused the probation system to get a trial in the state. That system has proved to be far cheaper, and a thousand times more sensible and humane. The average chain gang victim costs the community about three times as much while he is on the chain gang as he is able to earn at free labor, and yet he and his dependents are considered by the authorities undeserving of the consideration of the humblest human beings while he is "serving time".

Probably the tragedy of the drunken driver and the receiver of stolen goods will serve a good purpose in ameliorating conditions in North Carolina, and elsewhere; but it is a terrible price for them to pay for the good of the cause.

Crime - 1935

PRISON BOSS DENIES Two Acquitted Of MISTREATING PAIR Torture Charges

North Carolina Convict Warden
Defends His Actions

CHARLOTTE, N. C., July 16.—(AP)—
Capt. Henry C. Little, grizzled veteran
of 45 years service as a convict boss,
lashed out against prison disciplinary
methods prescribed by the State as he
testified vigorously today that he had
neither mistreated nor neglected two ne-
gro prisoners who later suffered ampu-
tation of their feet.

The 69-year-old Little took the stand
shortly after R. C. Rape, a former guard,
had denied from the witness stand that
he had been cruel or negligent of either
of the negroes, Robert Barnes and Wood-
row Wilson Shropshire.

Little, Rape and Dr. C. S. McLaugh-
lin, former prison camp physician, are
being tried on charges of assault and
battery with a deadly weapon (hand-
cuffs and iron bars) with intent to kill,
and with neglect of duty. Two other
former guards went to trial with them
but were freed by directed verdicts yes-
terday.

Barnes and Shropshire, short termers
from Mecklenburg County, had their
feet cut off last Winter after physicians
had diagnosed an infection as gangrene.
The two negroes declared their feet had
frozen while they were shackled and
handcuffed in an upright position to the
cell bars of the small brick punishment
house for alleged violations of prison
rules.

They testified they had practically no
heat, although the temperature went as
low as 11 degrees.

Little denied that the prisoners had
been shackled and handcuffed for ex-
cessive periods and asserted that fires
were provided in the disciplinary cell.
Rape gave identical testimony.

"Capt. Little, what is your opinion of
this method of punishment prescribed
by the State authorities?" he was asked.

"It's the most inhumane thing I ever
heard of," he shot back.

He was not asked what method of
discipline he would prefer.

Rocks have been produced in a labor-
atory in an attempt to learn the process
which nature employs in building up the
great land masses of earth.

The largest all-welded ocean-going
ship built in Britain—the tanker Moira
—was recently launched on the Tyne.

Two defendants in the Mecklenburg
County prison "torture" trial were freed
today and the other three were absolved
of the charge of "maining and tortur-
ing."

Judge Wilson Warlick directed verdicts
of acquittal for T. M. Gordon and J.
W. Eudy, former prison camp guards,
on all charges.

Their co-defendants, Capt. Henry C.
Little, former prison camp boss, Dr.
C. S. McLaughlin, who was prison
physician and R. C. Rape, an ex-guard,
remained facing the jury on a charge
of assault with a deadly weapon with
intent to kill, a felony, and neglect of
duty, a misdemeanor. The indictment
specified "handcuffs and iron bars" as the
"deadly weapon."

The five went on trial a week ago as
a result of two young Mecklenburg ne-
gro convicts losing their feet by amputa-
tion last Winter after a gangrenous in-
fection had set in and threatened to
cause death.

CRIME

Price of Progress

Black little Robert Barnes and big
brown Woodrow Wilson Shropshire say
they were sent to solitary confinement in
a North Carolina chain-gang "dark house"
last January because they warmed their
feet at a roadside fire after a guard told
them not to. The guard's story is that the
two Negro convicts—Barnes received
stolen goods; Shropshire had driven while
drunk—were put in solitary because they
refused to work. The Negroes say that
they were manacled upright ten hours a



ROBERT BARNES & WOODROW WILSON
SHROPSHIRE

Exhibits A, B, C & D.

day for nine days, that a little wood stove
was lit each morning but soon went out,
that at night they slept without fire, with
only scraps of blankets for covers. The
chain-gang bosses say the Negroes had
plenty of heat, plenty of covers. The Ne-
groes say their feet froze because it was
wintry cold. The chain-gang bosses say
the Negroes stopped circulation in their
feet when they padded their leg irons with
rags and strings.

In March the two Negroes' feet were
puffy, greenish-purple clumps of gangre-
nous flesh and they both would now have
been stone dead if a Raleigh surgeon had
not amputated their four limbs halfway
to the knees. In the Charlotte court house
last week these stumps were Exhibits A,
B, C and D in the State's case of criminal
cruelty against Captain H. C. Little of the
convict camp, three of his guards and
Dr. C. S. McLaughlin, camp physician.

It was a lively trial. Defense counsel
protested that since the State Legislature
had voted the boys each a set of false legs
along with lifetime sinecures in the State
Highway Commission, the boys should
have appeared in court on their new un-
derpinnings instead of on short crutches
(see cut). Shropshire explained that they
had not learned to use the new legs yet.
Barnes seldom said anything except: "I
disremember." Prosecutor John Carpen-
ter also lived things up by appearing
every day in a gayer ensemble than the
day before, while Judge Wilson ("Coot")
Warlick maintained a running fire of ad-
monition from the bench: "Keep your
shirts on. . . . Somebody will pay."

Since North Carolina public opinion is
thoroughly aroused against the Negroes'
keepers and the whole reeking chain-gang
system, consensus was that Robert
Barnes's and Woodrow Wilson Shrop-
shire's lost legs would be the price of a
new and more merciful penological system
in the State.

RICHMOND, VA.

TIMES DISPATCH

JUL 23 1935

A Disgrace to the South

AN ASTONISHING verdict of acquittal
State are so far neglected that their feet
has just been reached by the North freeze or rot within eyesight and calling
Carolina court which tried several former distance of adequate medical attention."
convict camp officials, who had in their Certainly it seems to us that such a ver-
custody two Negro prisoners whose feet had dict is nothing short of a travesty upon
to be amputated. These officials were justice. About 10 days ago, a legislative
cleared of all blame in the matter, the jury investigating committee in Georgia reported
having apparently believed the argument that conditions in one of the convict camps
of the defense that it was the fault of the

convicts themselves that they lost their
feet.

The two prisoners were serving short
terms. For alleged insubordination they
were "hung up" in solitary confinement in
dark cells for nine days from eight to ten
hours daily, handcuffed to the bars of the
cells with their feet shackled to the floor.
Although the thermometer went down to 11
degrees above zero for a portion of the time,
and it always was unusually cold, there
was no heat, except from a dilapidated
stove which went out frequently.

Owing to the shackles on their feet, those
members swelled, and the men had to take
their shoes off and stand unshod on the
cold concrete floor. In order to keep the
shackles from pressing too hard on their
swelling feet, the men placed strips of cloth
under the metal. Soon the swelling was
such that the cloth was forced deeply into
the flesh.

After being subjected to this torture—
there is no other word for it—for nine days,
the men were given solitary confinement
for three more days, without being "hung
up." Subsequently in the prison camp, their
feet grew steadily worse. The gangrene
was diagnosed as "erysipelas," and salve
was rubbed on the rotting flesh. Finally
it became clear that the feet of both men
would have to be amputated, to save their
lives, and the operation was performed in
the prison hospital at Raleigh.

That is the undisputed record of what
happened. Yet the court quashed the in-
dictment charging "feloniously torturing
and maiming" and dismissed all charges
against two of the five defendants. The
other three were brought to trial on a
charge of "neglect of duty," a misdemeanor,
and assault with a deadly weapon with in-
tent to kill. Since it was clear to every-
body that no such assault had been com-
mitted, the only charge, for all practical
purposes, was the misdemeanor, and the
prison camp officials were not even con-
victed of that.

Naturally there has been an outburst
of indignation in North Carolina over this
denouement. A columnist calls it "shame-
ful, disgraceful, sickening." A leading edi-
tor declares that the verdict "falls miserably
to satisfy the most elemental promptings of
a decency which is outraged when two hu-
man beings utterly within the power of the

in that State are even more un-
Robert E. Burns said they were, in his de-
scription of Georgia chain gangs. Now
comes a North Carolina court with a refusal
to punish any one for the loss of the feet
of two prisoners in one of that State's pris-
on camps, although the men were subjected
to terrible torture over a period of nine
days. Such things as these are a disgrace
to the South.

Convict-Camp Tragedy Stirs Press

Loss of Limbs by Negro Prisoners, and Failure of Charges Against Officials, Arouse Indignation of Several Southern Newspapers

Two Negroes who were short-term prisoners in a road-camp in Mecklenburg County, North Carolina, have one thing to be thankful for. They can never be shackled by the feet again. But Colonel Tarheel and some of his friends in adjoin-



Keystone

Dr. C. S. McLaughlin

ing States are much wrought up because the story is another tragedy of a convict-camp. For alleged insubordination Woodrow Wilson Shropshire and Robert Barnes, according to testimony offered in their behalf, were "hung up" in solitary confinement in dark cells for nine days from eight to ten hours daily, handcuffed to the bars of the cells with their feet shackled to the floor. It was during the month of January, when it was unusually cold, the thermometer going down, for a part of the time, to eleven degrees above zero. The little heat there was came from a dilapidated stove. The shackles caused the men's legs and feet to swell, and they had to take their shoes off and stand unshod on the cold concrete floor. To save themselves as much pain as possible, the men placed strips of cloth under the shackles. But their feet continued to swell, until the cloth was forced into the flesh. After being subjected to this treatment—some newspapers went so far as to call it "torture"—for nine days, the men were put into solitary confinement for three more days. This time they were not "hung up." Their feet continued to become worse after their release from "solitary." The gangrenous condition which developed was diagnosed as "erysipelas." Finally, a correct diagnosis was made, and to save

their lives the legs of both men were amputated in the prison hospital in Raleigh.

"Travesty Upon Justice"

"That," said the Richmond *Times-Dispatch*, which has often paid tribute to the men who were "first at Gettysburg and last at Appomattox," "is the undisputed record of what happened. Yet the court quashed the indictment charging 'feloniously torturing and maiming' and dismissed all charges against two of the five defendants [all officials of the camp]. The other three were brought to trial on a charge of 'neglect of duty,' a misdemeanor, and assault with a deadly weapon with intent to kill. Since it was clear to every one that no such assault had been committed, the only charge, for all practical purposes, was the misdemeanor, and the prison-camp officials were not even convicted of that.

"Naturally there has been an outburst of indignation in North Carolina over this dénouement. . . . Certainly it seems to us that such a verdict is nothing short of a travesty upon justice."

The three men who were brought to trial before Judge Wilson Warlick in the Mecklenburg Superior Court were Dr. C. S. McLaughlin, prison physician, Capt. Henry C. Little, camp superintendent, and R. C. Rape, a guard. The physician and the guard were charged with neglect of duty, and the superintendent with assault with intent to kill. More serious charges against Doctor McLaughlin and Mr. Rape had been dismissed.

The trial lasted two weeks. On the first ballot, it was reported, four men wanted to convict one or more of the defendants. They were won over, and the three defendants were acquitted. According to the Raleigh *News and Observer*, "the defense, denying mistreatment of the Negroes, sought to show that the convicts themselves were responsible for the gangrenous condition of their feet by wrapping rags and cords about their ankles, curtailing the blood-flow."

The news-story in the Charlotte *Observer* recited that "the case has received wide publicity of a nature unfavorable to North Carolina, and various State officials expressed relief that the matter is settled at last."

"Decency Outraged"

The Raleigh *News and Observer* was bitter and ashamed. The result, it said, "may satisfy the jury and the officials of the State prison system who directly and in-

directly were involved.

"It fails miserably to satisfy the most elemental promptings of a decency which is outraged when two human beings utterly within the power of the State are so far neglected that their feet freeze or rot within eyesight and calling-distance of adequate medical attention.

"The Mecklenburg court peremptorily swept aside all suggestions that the two Negroes had been tortured.

"If this isn't torture, then we need a new word for whatever it is.

"We need also a civilized determination that it shall not happen again."

After an investigation by the Legislature, the State of North Carolina accepted the responsibility for the future of the three Negroes by providing them with artificial legs and placing them in permanent jobs.

THE ACQUITTAL OF THE PRISON CAMP OFFICIALS

The verdict of acquittal in the cases against the Mecklenburg prison camp officials was not altogether unexpected by the colored people. The familiar adage, "Blood is thicker than water," is usually true. Despite the silent but powerful appeal of the feeble legs of the neglected prisoners, it was too much to expect that the accused officials would be convicted of cruelty or criminal negligence by a jury of their friends and neighbors. While many fair-minded people will question the fairness of the verdict, nothing will be done about it. As has been suggested, the brutalities disclosed at the trials will no doubt lead to a reform in the State prison system. If such reformation should result, the sacrifice of two pairs of feet will not have been in vain. It will not bring back the lost feet, but it may save the feet of others.

ERIE, PA.

DISPATCH HERALD

JUL 24 1935

THEIR OWN

We have found over a long period of experience with juries in the trial of criminal cases that they rarely, if ever, erred fundamentally in their verdict. Occasionally the penalty did not fit the crime, being either too light or too severe. But we do not recall a single instance in numerous cases wherein there was wholly a miscarriage of justice.

There have been cases, however, where persons accused of crime have been cleared simply because the charges against them were poorly presented. The acquittal of prison guards and other officials at a North Carolina convict road camp for inhuman treatment of two Negro prisoners may have been an instance of improper or weak presentation of the case.

The Negroes were strung up against a wall in chains for some infraction of the prison rules. They were placed up in a fireless room in the bitter cold of last January, arms and legs shackled. In this position they were kept for several days. When finally released they were in such bad physical condition that they were rushed to a hospital where it was found their legs were in a gangrenous condition, necessitating the amputation of both feet.

Justice loving and humane North Carolinians fairly went up in the air over what they considered unspeakably brutal treatment, and with one accord the people demanded those responsible for the safe keeping of the convicts be prosecuted. But one by one all charged with responsibility were exonerated until it narrowed down to three. They faced a jury last week on grave charges, but the prosecution failed to convict them of neglect of duty and cruelty with intent to kill.

It was proved to the satisfaction of the jury that it was not the frostbite that caused the inflammation resulting in gangrene necessitating amputation of the feet, but the result of the Negroes wrapping their ankles with bits of blanket and cord so tightly that circulation of blood was retarded. Thus the jury was convinced that the men were victims of their own folly and not that of their keepers.

The case is without parallel. The fact was lost sight of that the men bound up their aching ankles to protect them from the irons that cut cruelly into the flesh. Anger of the populace had burned itself out; and then these maimed human beings were only blackmen while the accused were Caucasians in whose veins flowed the proud blood

of Anglo-Saxon ancestors. Race does make a difference, as all have occasion to know, when it faces the law.

2 OFFICERS FIRED IN 3RD DEGREE CASE

Beat Asheville Youth

With Hose, Is

Charge

1-26-35
IGNORED WARNING

Brutality Scored By

Judge; Officers

May Appeal

ASHEVILLE, N. C.—Chief of Police W. J. Everett followed up a recent admonition to his department here to desist from using third degree methods on prisoners by discharging two detectives who had been taken into custody. The judge, 35, of Brucefield, W. Va., said he talked particularly to the two discharged men.

Chief Everett in a statement made shortly after the discharge of the two officers said "The whipping of, or the use of the so-called 'third degree' on, city prisoners is absolutely against the policy of the Asheville police department. There will be no more of it in the department as long as I am head of it."

The dismissed men, Charlie Clayton and Gilbert Cook, are reputed to be the "muscle men" of the force. Chief Everett said that on the occasion of his first warning to the department about the maltreatment of prisoners, he spoke particularly to Clayton and Cook since they were so well known for their employment of the third degree method.

Officers Ban Appeal

Since the members of the police department here are under civil service regulations, the two discharged men have the right to appeal to the civil service board from the action of their superior.

The alleged whipping of Davis

known also as William Harrison Cathey said, "are relics of the barbarian ages and should be foreign to American standards. It might be passable in Russia or Mexico," he added.

Detectives Clayton and Crook they are said to have beat him in an effort to force him to talk. Davis stood up under the severe whipping and through some means got word to friends outside of the incident. They immediately employed a lawyer who brought the matter to the attention of the police chief Friday. An investigation was immediately launched.

Davis Is Freed

As soon as Chief Everett convinced that the facts as presented him were substantially true, he freed Davis and informed Clayton and Crook that they were no longer members of the department.

The case which led the chief to issue a warning to the department concerning whipping prisoners was said to have involved the same two officers. Two white youths, Chief Everett explained, were severely whipped with a rubber hose by the two officers in an effort to get them to confess having robbed a small cafe in connection with which they had been taken into custody. The whipping, though severe, proved futile and the suspects were released.

This led to the issuance of specific instructions by the chief who said he talked particularly to the two discharged men.

Judge Sam Cathey, in city police court last Saturday, took occasion to condemn the "third degree" as a pernicious practice which "has been abandoned" and should "never be tolerated by any court in North Carolina."

Judge Comments

He made these remarks in a talk immediately after opening of police court. Judge Cathey defined the duties of a police officer and later mentioned newspaper reports of alleged "third degree" methods here.

"When a man accepts a position as a law officer," Judge Cathey began, "he undertakes the safety and proper guardianship of other people."

"No man should be arrested unless a legal warrant has been duly issued against him," Judge Cathey said, "and until he is duly tried and adjudicated guilty, his rights should be respected."

"Relics of Barbarians"

Applying the "lash" or inflicting other forms of punishment, even after a man is convicted. Judge

Saturday by the police chief who said at the time that he had warned them previously to desist from employing third degree tactics on prisoners.

"That what is known as the 'third degree,' he stated, 'is a pernicious practice which has been abandoned. It will never be tolerated by any court in North Carolina. There might be some cause for it today in America, but in Asheville it has no place and cannot exist."

"The police," he continued, "have a two-fold purpose, to protect the people who are sinned against, and to protect those that sin."

"Must Stop"

Judge Cathey said "the present case in under investigation" and that if the slightest intimidation came out in court he would investigate it fully, even if it meant calling in an "impartial board of experts." The practice itself, he said, must stop. "I think," the police judge declared, "Asheville has a good police force, as good as any in the country." However, he said, an act of one policeman reflects honor on the entire department, and if not honor, it also reflects on the department."

Judge Cathey later commented that 'no one should ever be placed in the city jail without a duly sworn out warrant, based on reasonable facts. There is no right to fingerprint anyone until after they have been tried.'

Again referring to alleged "third degree methods," Judge Cathey said "if it ever comes out in court, I'll assure you it will be investigated to rock bottom."

Detectives To Issue Statement

ASHEVILLE, N. C. — What is considered a prelude to their intention to appeal from the action of Police Chief W. J. Everett in discharging them from the force after they had allegedly ignored instructions and beaten Cecil Davis while in custody was seen in the promise of Gilbert Crook and Charlie Clayton, city detectives to issue a public statement giving their side of the incident.

Meanwhile officials of the Mission Hospital where Davis was taken following his release Saturday announced that his condition was "fair." According to his mother he was beaten with a railway air hose. He is the son of the Rev. J. H. Davis of 84 Hill Street.

The promise of a statement by the discharged officers was made Monday following their dismissal

the crime, observers said. The Negro criminals first must be made to recognize the power of law and the value of life, authorities said.

GREENSBORO, N. C. RECORD

FEB 14 1935

The Easiest Way.

The executioner found plenty of work to do in the North Carolina penitentiary last year.

Twenty men—eight whites, 12 blacks—were put to death in the electric chair. That was eight more than have been executed in any other year of the 24 since the death chair supplanted the gallows in 1910. In November, 1934, for the first time in the history of capital punishment in this state, there was a triple electrocution—the victims were negroes. There was another triple killing in December, when three white men were executed.

In the matter of executions in North Carolina last year was a record-breaker. But this year may break the record of last year. There are now 22 men on death row in the Raleigh prison. Some of the doomed have but lately arrived. Others have been there for months—waiting, waiting, waiting—waiting for death.

Nell Battle Lewis, in a recent article in the Raleigh News and Observer, in which she condemns capital punishment as barbarous, un-Christian and "basically wrong," because "it is founded on the idea of retribution, of revenge and carries this idea to the most extreme degree possible . . ." concludes with this striking paragraph: "As a matter of fact, our infliction of capital punishment boils down to this: We kill these criminals because it is the simplest thing to do; because the revamping of our theory and practice of punishment requires high intelligence and considerable cerebration. So—why bother about it!"

MUCH OPPOSITION TO NEGRO POLICE

Move is Said to Have Been
Launched by Hayti Political
Ring

A move against the placing of a Negro policeman in Hayti was growing in the city today.

An informal compilation of opinions of authorities, persons familiar with the Hayti situation and other persons indicated that the move will be fought bitterly if it makes any headway with the city council. Chairman W. C. Lyon, of the council safety committee, is said to be in favor of Negro police.

From an authoritative source came the information that the move is being backed by a political ring in Hayti and that the job may be made a political one.

Police here of the old school say that a Negro policeman will be helpless in Hayti. He would be scared out of his job in short order, is the belief.

The so-called criminal class in Hayti has voiced itself already. A Negro policeman just wouldn't be accepted there, several of the worst criminals in that section asserting they will "mix up" with the first Negro who tries to arrest them.

The placing of patrolmen on foot in Hayti is expected to remedy the situation somewhat. That section of town is expansive, it was pointed out, and it would take 25 officers on constant duty in that section to erase the crime wave that has hit there. An increase in the police department personnel would be a necessity in that event.

Shootings among Negroes occur so quickly that the presence of a policeman probably would not prevent

Council Turns Down Request For Negro Policemen In City

But Instructs City Manager R. W. Flack To Provide Ample
Protection In Hayti District—Two Patrolmen As-
signed To Beats In Effort To Check Crime

Responding to agitation among Negroes for better police protection in the Hayti district, the city council last night authorized City Manager R. W. Flack to provide immediately ample police protection in the crime rampant area.

The much-discussed action came after a delegation of Negroes, headed by F. K. Watkins and Philip Escoffery, appeared before the council urging the need of additional protection in that section.

Watkins asked for two Negro policemen, one Negro detective and as many other policemen as necessary, pointing out that Negro officers will be able to handle the situation better than white officers. He also pleaded for the enforcement of traffic regulations, and the installation of traffic lights to curb the reckless driving in that vicinity.

Escoffery, in his message to the councilmen, stated that "life in the Hayti district is as cheap as a 10-cent pound of beans." He also charged that the policemen assigned by Chief of Police George Proctor to that district literally "loaf" while on the job. The council went into a private session to discuss the proposal and gave it considerable consideration. The council public safety committee, headed by W. C. Lyon, is believed to be in favor of securing Negro policemen for a tryout period, and it is expected to report a recommendation to this effect at the next council session.

Even before the council meeting had concluded, the city manager had conferred over the telephone with Chief Proctor, ordering the night platoon to "cover" the Hayti district immediately in an effort to uncover the so-called "death holes and dens" in that section of the city.

According to the city manager, sporadic raids will be conducted. Nearly all of the officers on each platoon will be used in the raids, and the streets of Hayti will be thoroughly canvassed.

At the same time, it was announced that two men have been detailed for special duty in the Hayti area. One will patrol the section during the shift commencing at 2:45 p. m. and ending at 11 p. m., and the other between the hours of 11 p. m. and 7 a. m. The officers will be on foot. Regular radio cruisers assigned to the district will continue operation as usual.

It has been some time since a policeman has been given a regular beat in the Negro section.

No officer as yet has been assigned to the district during the morning hours, but a patrolman was kept in the area all day Sunday. It is not likely that a man will work the morning beat during the week, however.

Recent gun fatalities among Ne-

should be changed to avoid the ne-thing really worth while about cap-
tivity of governors having to getal punishment they would agree
through the process of commutinf that, in justice, the changes men-
the death sentence. It should bitioned should be made.

changed in justice to the criminal
Nobody holds it just to impose a life
sentence for theft, even if it involves
entering sleeping quarters. But be-
cause the theory of the law, no
longer held in respect, is that one
entering sleeping quarters in the
night might kill he is guilty of the
felony.

Not only should burglary be red-
moved from the list of capital fel-
onies but arson should go along with
it. Nobody will be put to death in
North Carolina for setting fire to a
dwelling, infamous as that crime is.
But because the law stands jurie
and courts have to resort to evasior
to get around it or the governor
must commute the death sentence
Of course if life is lost in the burn-
ing house fired by the criminal or
the burglar kills while attempting
to rob, the trial is for murder. Re-
moval of burglary and arson from
the list involves no risk of a real
capital crime going unpunished. If
these crimes ever properly belonged
in the death list they are not so
recognized now and they should be
marked off.

One wonders why Mr. Ervin and
those who feel as he does do not
give attention to these injustices.
Surely the laws could be changed.
Even the rankest killer would agree
that it is better to change the law
than to nullify it to meet that just
public sentiment which will not as-
sent to killing simply for setting
fires, or for theft. Far better, more
just, is the direct way, which would
permit the court to impose a sen-
tence of imprisonment in accord-
ance with the crime. While the
capital felonies are being reduced
to two another chore should be
given attention as a matter of com-
mon justice. The employer of a
killer, the procurer of murder,
should be guilty of the capital felony
instead of conspiracy, which auto-
matically sentences to imprisonment
In more than one case in North
Carolina recently hired killers have
gone to death and justly, since their
crimes are the most aggravated. But
public sentiment has revolted, and
justly, against the discrimination
which sends the hireling to death
while the employer, the procurer
and instigator, is spared. Surely the
opponents of capital punishment

will agree that so long as we kill we
should kill those who deserve it most
and none is more deserving than
he instigator and procurer of mur-
der.
Seems to some of us that if the
legislative boys care to do some-

LAWYERS FOR JUSTICES OF PEACE

The Houston Defender, after having observed over the years
the nature of the numerous civil suits filed in the justice of
peace courts in Harris County, has become converted to the
idea that such judges ought to be licensed lawyers.

The Texas legislature ought to enact a law making it man-
datory for all justices of peace, in counties with a population
in excess of 150,000 or 200,000 persons, to be regular attorneys.
Under the present civil statutes nowhere in Texas does a jus-
tice of peace have to be a licensed lawyer, and practically
every such judicial post in the state, both in small and large
counties, is occupied by some layman possessed of more politi-
cal pull than legal knowledge.

Since legal suits involving amounts from \$1 to \$199.99 are
heard and tried in justice of peace courts, where many legal
questions are raised by litigants and with a presiding judge
unversed in the law, the present system works an untold and
unnecessary hardship upon many persons involved in such suits.

The right to appeal on such suits in excess of \$10 to the coun-
ty court-at-law is guaranteed to every litigant, but quite often
the expense of appealing, making bond and retaining legal
counsel amount to more than the sum of money involved in the
original suit; thus many persons are unable to appeal and prose-
cute their cases further because of the added expense incurred.

Quite often the small sum of money involved in such suits
means as much, or more, to some of the litigants as larger sums
arising in original suits in the county courts-at-law and dis-
trict courts.

In such populous counties as Harris, Dallas, Bexar, Tarrant,
Jefferson and others, the state statutes ought to provide that all
justices of peace be licensed lawyers, and thereby put an end
to the kangaroo practices so often invoked and pursued in the
farcical adjudication of civil matters in some of the justice of
peace courts in Texas.

Here is a fine opportunity for the present legislature to give
Texans a "New Deal" in line with some of the proposed judicial
reform and revised court procedure.

GREENSBORO, N. C. NEWS

FEB 3 1935

Clark's Comment

WHY NOT TAKE THESE UP?

Supporting the Jonas bill Repre-
sentative Ervin, Mecklenburg, told
the pitiful story of a negro boy who
was convicted of the capital felony
for first degree burglary. He had
entered sleeping apartments in the
night, which brought the offense in
the capital class, and had stolen a
pair of pants. Appointed by the
court to defend the boy Mr. Ervin
told how the jurors stayed out long
hours because they knew it was
wrong to convict that boy of the
capital offense but they had to do it
or perjure themselves. The death
sentence was commuted through
the intercession of Mr. Ervin. His
contention was, of course, that if
the jurors had been authorized to
recommend mercy in that case the
matter would have been better set-
tled.

The death penalty for burglary
can be better settled and more just-
ly in a simpler way. The capital
penalty is no longer inflicted for
burglary. It is nullified by common
consent. With all his distress Mr.
Ervin's boy was in no danger of
electrocution. We no longer electro-
cute for theft, even for breaking and
entering. But the law stands and
conscientious jurors, such as Mr.
Ervin encountered, occasionally find
it necessary to convict of first de-
gree burglary, which automatically
carries the death penalty. But the
governor—in later years at least—
always commutes.

The law should be changed, of
course. The death penalty for bur-
glary has passed by common con-
sent. But the law should be changed
to relieve the embarrassment of
jurors who feel compelled to convict
under the law and the evidence. It

Expert Testimony

Journal Guide
THE defense of the Mecklenburg county [N. C.] prison camp superintendent, physician and guards under whose care two prisoners lost their feet by freezing while undergoing disciplinary measures missed a good witness in Dr. FRANKLIN H. CHURCH, Newall. The camp doctor called it erysipelas and the final diagnosis although the doctor was not needed, the Raleigh medical men was to the except in justification, and this effect gangrene set in as a result of was not pleaded by the Mecklenburg defendants.

Writing to *Time* weekly magazine, the New Jersey Clinician takes exception to a factual presentation of the case by that publication, and in the course of doing so gives an amazing professional opinion that misses any appropriate relation to the North Carolina case by as much distance as that between New Jersey and the Tar Heel State. His pontifical pronouncement follows:

Under the heading, "Crime, Price of Progress" in *Time*, July 22, you record the story of two Negroes with frosted feet. There is the usual lack of insight in this story and the usual appeal to sentiment for the poor abused criminal. Both courts and publicists seem to have entirely overlooked the true philosophy and the correct attitude towards this class of criminal. To begin with, causation: I have had under my care in the past year three of these Negro types. All had frosted toes. This condition depending not on exposure so much as on the syphilitic disease of the blood vessels which brings about the gangrenous disease. One of them was paralytic enough to attempt suicide by throwing himself out of a window and at 45 is a bed-ridden pauper at the expense of the tax payer, an incurable brain syphilitic. The second had also frosted toes. He died of his gangrene and associated syphilis and never was near a chain gang. The third had frosted toes and is still running around the world with them.

It is my thought, that the people who have neither acquired syphilis nor inherited brains which are decayed by this disease are the important individuals to be protected from the damage of this "rust on the wheat."

I do not believe that such mawkish sentimentality and lack of knowledge as expressed in this editorial comment is of any value to the nation. These Negroes are of a

type that are better off "never a number of times from Negro born." They stand as "nuisance and white citizens and merchants criminals or feeble-minded paupers of that section of our city in the body-politic...."

Not only the prison camp doctor, but the better prepared Raleigh surgeons who amputated the prisoners' frozen feet seem to have missed the right diagnosis, after your car or truck in that section without something being stolen or yourself swarmed with a bunch of Negroes to see what you have in your car on on your truck. Our police department is doing in its power, but what good is a cruising car? In exactly two minutes after they leave it is just as bad as ever. At 1:30 A. M., Sunday morning, I have seen on those streets at least 300 Negroes all about all engaged in a free for all fight. During such times it is very dangerous to be on those streets and I can produce sworn evidence to verify these statements by good citizens both white and black. And then I say that such loitering should be stopped for the protection of our tax-paying citizens of our fine city. Such happenings are a disgrace to our city and throw a hardship on our fine police department.

care three cases of frost-bitten toes to bodies with syphilitic taint, the New Jersey clinician reached a conclusion opposite to the findings of competent investigators and medical men in North Carolina, who handled the cases firsthand, and at long distance dis-misses the whole incident with the postulation that the men were just social pariahs that deserved their fate.

If he represents medical character and viewpoint in New Jersey we are of the opinion that the poor devils in the North Carolina prison camps are fortunate. MORE POLICE PROTECTION NEEDED IN THE VICINITY OF FIRST AND McDOWELL STREETS.

Dear Sir:
Herewith is a letter I address to the city council and civil service commission:

There have come to me in the past few days scores of citizens, merchants, jobbers and truckers regarding the situation that they have to contend with in the vicinity of McDowell and First street section of our city.

In the first place, it is the duty of the governing board of our city to see, first, that all citizens get equal police protection. Second, it is the duty of the citizens to see that they do get their share of police protection which they are paying for.

Just a few days ago an old Negro came to me and said that he and his wife, on the night before, had to leave the sidewalk and get in the middle of the street to get by a drunken fight in which knives and razors were used, both of which endangered their lives. And the same report has come to me

the happy medium with respect to handling prisoners.

The case of the two colored boys who were tortured while serving short terms in the state's convict camp in Mecklenburg, and who lost their feet as a result, is still fresh in the public mind. So are other cases of prison brutality, and rather numerous cases in which prisoners have been shot to death in the act of escaping.

Now comes a case, or rather two cases, of quite different complexion. Yesterday Clarence Peterson and Dwight Beard, both serving long terms for murder and both regarded as dangerous, "walked off," attired in "grade A" clothes from a project on which they were working just outside the walls of the state prison in Raleigh. They were not "grade A" prisoners. They boarded an automobile and struck out "in the direction of Durham." No shot was fired, no hand was raised, to detain them; in fact, nothing at all was done to deter them.

There are no allegations of collusion in the double escape. A 66-year-old guard, with 20 years' honorable service to his credit, who was supposed to be on the lookout at the gate through which escapees were made has been discharged.

Oscar Pitts, acting director of the prison, who ordered dismissal of the guard, Charlie Massey, said: "I am convinced there was nothing crooked in the escape, as far as Guard Massey is concerned. It was simply gross carelessness on his part." Perhaps there should be some consolation in the director's assurance that the escapees didn't buy their way out; that they escaped because of the guard's "gross carelessness," rather than because of crookedness and perfidity. However, the fact remains that these two dangerous murderers did escape with apparent ease and that they are at large.

Mecklenburg superior court actually consumed more than a day during the same week deciding the fate of a slot machine! At the same time two other Negroes were, are now, in fact, languishing in jail awaiting trial on charges of having murdered two members of their own race. Their lives too are, technically, at stake.

CHARLOTTE, N. C.
NEWS

AUG 31 1935

Routine Murder Trials.

Within less than thirty hours this week three Negroes, in three separate cases, were tried in Mecklenburg superior court while their lives hung in the balance. Rhetorically speaking, that is. While all three faced charges of murder in the first degree, their lives weren't actually hanging in the balance. The persons they were charged with having slain were, it developed, also Negroes. And that makes a vast difference.

One of the three defendants, a Negress, went free after a jury declared her not guilty. By the jury route the two Negro men were convicted of (as if you hadn't already guessed) second degree murder. As a result they will serve

prison terms of moderate length—perhaps thirty hours, with a night's recess thrown in, were ample for presentation of the evidence for the state and the defendants. Yet—suppose that the Negroes had been charged with slaying whites, or, again, that the alleged killers and victims both had been white? (We shall not be unkind enough to ask you to suppose that one of the defendants was a white and his victim a Negro.) Everyone knows the answers; they're in the back of the book.

Mecklenburg superior court actually consumed more than a day during the same week deciding the fate of a slot machine! At the same time two other Negroes were, are now, in fact, languishing in jail awaiting trial on charges of having murdered two members of their own race. Their lives too are, technically, at stake.

A CITIZEN.
Charlotte.
August 24, 1935
Doctor Is Guilty
In Stitch Case

HIGH POINT, Aug. 28.—Dr. E. A. Sumner, prominent High Point physician charged with assault as the result of alleged removal of stitches from the wounds of a Negro patient, was found guilty by Judge Lewis E. Teague in municipal court Monday and ordered to pay the cost of the case.

The state, unable to locate Dorothy Melton, missing witness in a second charge of assault against the local physician, took a nol prosequi with leave.

The defendant filed notice of appeal.

GREENSBORO, N. C.
RECORD

AUG 29 1935
Murderers At Large!
North Carolina's prison management obviously finds it extremely difficult, if not impossible, to strike

Reports are trickling in that Gastonia policemen, some of them, at least, have been rather brutal in their treatment of arrested negro boy thieves; far more so than their offense justified, our information goes, which came from observers of the incident. The relation between the races in Gastonia is too close to allow it to be ruined by thoughtlessness on the part of some of our officers. Armed authority is not free license to mistreat and basely manhandle an unarmed, harmless 17-year-old negro stripling.

CHARLOTTE, N. C. OBSERVER

AUG 30 1935

Negro Lawlessness.

To The Observer:

The facts in regards to crime and poor police protection was presented to Chief Pittman, the former City Council and Civil Service Commission by petitions signed by hundreds of citizens and property owners several times during the years 1933-34 and to the general public through The Observer.

The city officials have been presented with right hand knowledge of crime and inadequate police protection of this section long ago.

It is the sentiment of this section that Chief Pittman and the City officials has had ample time to bring law and order to this part of the city. The citizens and taxpayers of this section have been discriminated against sharing equally in police protection and other advantages of our city government.

Proper police protection has not been afforded the tax payers of this section for a number of years.

Organized crime and the criminal element has a ten to one lead over the police system and protection provided for this section.

One or two officers patrolling this section in radio cars is not sufficient for law and order in a business district and a congested section with a population of more than twelve or fifteen thousand negroes. This system of police protection prevents few crimes in this section of the city.

Most of the surplus energy of negro youth is consumed destructively as this community affords no outlet and has no recreational centers worth while to curve the lives of negroes constructively. On the other hand many negroes resort to crime as a part of their livelihood as their employers pay them less than living wages for their labor considering the high cost of living.

Our city and county government provides very few reforms for negroes other than jails, courts and prison camps.

To discipline the police situation with punishment of a deduction from fifteen to thirty days in pay will have no bearing on relieving present conditions of this section. Only the presence of a police at all times will improve this existing condition.

The public seriously questions the advisability of holding Chief Pittman alone responsible for this situation as it seems to be a case similar to the Mecklenburg prison camp scandal recently.

There has been a plenty of negligence. Perhaps many of the better class of white citizens and the city government is and should be held responsible for this deplorable situation.

Charlotte is no more a small town or village. It is a large city and has a large criminal element of both races. The public is wondering why Chief Pittman has not made some explanation in this matter aside from being home in bed asleep.

Mr. Pittman and many other white citizens will agree that it is a necessity for negroes to manage the negro schools and churches as negroes are more familiar with dealing with problems of their people, yet Mr. Pittman and the white citizens of our city have not considered that similar principles are necessary in solving the crime problem of the criminal element menacing our city. Competent negro police officers have proven to be a very valuable asset to other towns in solving problems similar to Charlotte and educating their people of the importance of better citizenship, law and order.

Many of our better class of white citizens are very liberal in sympathizing with negroes in their condition but permit conditions to remain the same. Expressions of sympathy is not enough. Negroes need your actions, material assistance and should be given more rights to share as citizens and taxpayers in our city.

Citizens of Charlotte, the City Councilmen, Civil Service Commission and City Manager this is

your problem. What are you going to do about it?

WOODS MORGAN.

Charlotte.

This, and Farewell.

Chief Ed Pittman has no intention of resigning his office at the demand of the civil service commission, and we don't blame him. Admittedly not involved in any way with the mass raid that certain members of the police department put on, either spontaneously or by direction, he rejects the suggestion that he be the first and perhaps sole sacrificial offering. Again we don't blame him. The civil service commission as at present constituted is not in position to be making objective demands, even by two of its members. Its chairman was closer to the scene of the disturbance than the police chief.

But without wishing to act as the unofficial arbiter of the dispute, which now begins to involve personalities, The News nevertheless is confident in the belief that it indicated yesterday the principle upon which the dispute should be settled. That is, the police department is the thing. What is best for the police department, perhaps the most important agency of the city government, must be best for all. And it is manifest that under the direction of Chief Pittman and Chairman White the police department has not gained but lost in organization, discipline and effectiveness.

Having said that, The News is going to keep its further opinions to itself.

DOES REASON STOP AT COLOR LINE?

(From The Winston-Salem Journal.)

The Charlotte Civil Service Commission is investigating the complaint of prominent colored folk of that city that police officers there recently made an unjustified mass attack upon negroes in several sections of the town.

This probe, which doubtless will be fairly conducted, should, reveal the truth or falsity of the charges. If the story of the negroes is true, Charlotte apparently has some police officers it would well afford to dispense with.

He is an officer unworthy of his uniform and badge who refuses to allow reason to function when he reaches the

color line. It is just as essential that the human and property rights of the negro be protected and held sacred as it is for those of the white man to be respected, and any deviation from this course of justice is designed to cause misunderstanding and trouble.

The illiterate negro sometimes fails to understand the objectives of officers who are engaged in making raids, imagining that members of his race are being subjected to undue indignities when such is not the case. But when a number of the leaders of the race file formal protest against incidents like that which is alleged to have occurred in Charlotte, the booming of much smoke demands a search for a fire.

WILMINGTON, N. C. STAR

WHAT TO DO WITH HIM?

GEORGE FRANCE, convicted negro assailant, probably does not know it, but he is giving the state of North Carolina a legal headache.

GEORGE is supposed to die Friday week, for attacking an elderly white woman, but the state of North Carolina has no idea what it is going to do about it.

In the first place the method of capital punishment in the state is by lethal gas, and Tarheelia finds itself without a gas chamber. Furthermore, there is a great difference of judicial opinion as to whether the gas chamber became legal for crimes committed after July 1, or for convictions after July 1. FRANCE, incidentally, committed his crime prior to that date but was convicted afterward.

The question then is, can a man be gassed to death for a crime for which the penalty was electrocution, or can he be electrocuted after that form of punishment has been outlawed? Since he noted no appeal from his death sentence, the supreme court has nothing to say.

South Carolina had a similar case in 1910 when the gallows was replaced by the electric chair, the case coming up on appeal. In that instance, as we recall it, the defendants were electrocuted although hanging was the mode of punishment at the time their crime (murder) was committed.

Crime-1935

4 Prison Camp Officials Held For Mistreating Convicts

CHARLOTTE, N. C., April 10.—(P)—Four former prison camp officials and a physician were held on the felony charge of mistreatment at the conclusion today of a judicial inquiry into the circumstances of two negro convicts losing their feet.

Superior Court Judge Donald Phillips, sitting as a committing magistrate, held there was probable cause for action against Henry Little, prison camp superintendent; J. W. Eudy, R. C. Rape and T. M. Gordon, guards, and Dr. C. S. McLaughlin, county physician.

He ordered them held under \$1,000 bonds for the superior court term beginning May 11. Little and the three guards were also held for county court on charges of assault upon Ed Biggers and Oscar Cunningham, negro convicts who testified they were beaten at Little's camp in the dead of night.

Regulations of the State Highway Department, which has control of all convicts, require authorization from prison division headquarters for the whipping of convicts and the presence of a physician during administration of the flogging. Bonds of \$200 each were fixed on the latter charge.

T. S. Brown, prison camp superintendent who was named in the warrants for the hearing, was discharged at its conclusion. Solicitor John G. Carpenter asked dismissal of the charge, saying there was no evidence to connect him with any criminal offense.

The inquiry was ordered by Governor Ehringhaus upon the disclosure last month that Robert Barnes, 19, and Woodrow Shropshire, 19, both short-term prisoners, had developed gangrenous feet at Little's camp. They were taken to the central prison hospital at Raleigh and their feet amputated.

Investigations also were launched by the State Welfare Department and the legislature.

Shropshire was brought here as the first witness for the inquiry which began Monday morning.

Gently rolling himself back and forth in a chair for six inches or so as he testified, he told a story of being chained with Barnes in unheated "dark cells" at Little's camp during bitter January weather. For 12 days, he said, they were chained in a standing position during the day and at night were given only a thin mattress, thrown on a concrete floor, and a few strips of blankets. Their diet, he said, was a piece of biscuit and a little water each day.

Feet Froze.

The negro charged their feet froze and said his became so swollen he could not wear his shoes and was forced to stand barefooted on the cold concrete.

The dark cells, small units in a brick building about nine feet square,

are the prescribed punishment cells in North Carolina prison camps.

Shropshire said he told Little of his feet and asked for medical aid, but that it was three days before Dr. McLaughlin saw him and that then the camp physician told Little there was nothing wrong.

Shropshire also testified that Barnes, who was too ill to come here for the hearing, was beaten by Rape while chained to the bars of the cell. Against the negro's charge the defense brought evidence by records and witnesses that the negroes were chained in a standing position only five days and that after the fifth day they received regular prison camp fare.

Dr. McLaughlin testified he visited them every other day and said his diagnosis of the cause of their gangrenous feet, which he said developed after their removal from the punishment cells, was erysipelas. He added he was still of the opinion this was the cause.

A number of physicians were called by the defense to testify that gangrene could follow erysipelas.

Another Theory.

Guy Carswell, attorney for Little and the guards, also developed the theory that cords with which the negroes had tied pieces of blankets to their legs to prevent their chains chafing them had interfered with circulation and brought on the gangrene.

Testimony of the physicians in answer to hypothetical questions was to the effect that this was possible.

Brown was brought into the inquiry because it was from his camp where there are no "dark cells," that the negroes were sent to Little's camp for punishment. He, Little and the guards have all been discharged since the disclosure of the negroes' condition.

Evidence was adduced at the hearing that Elle Bogan, a negro prisoner from Lexington, died in a "dark cell" at Little's camp last August. His death was given by Dr. McLaughlin as due to a heart ailment.

Prison department regulations require a physician's examination of a prisoner before he is sent to the punishment cells. Dr. McLaughlin testified he made an examination of Bogan, but did not detect the heart ailment, and also had examined Barnes and Shropshire and found them in normal health before their terms in the confinement cells.

No charges were brought in connection with Bogan's death.

2 More Carolina Guards Accused

CHARLOTTE, N. C., April 9.—(P)—Torture charges were brought against two more former prison officials here

today as tales of convicts being pulled from their cells at night to be beaten by guards featured a judicial investigation of prison camp conditions.

After fugitive negro witnesses told of being beaten and kicked while serving road sentences, Judge Phillips, at the request of Solicitor John G. Carpenter, ordered the names of S. McLaughlin, prison camp physician, and T. S. Brown, camp superintendent, included in warrants already brought against four other former officials charging torture.

The men were charged with torture and maiming Woodrow Wilson Shropshire, 19, and Robert Barnes, 19, who lost their feet after being chained in a standing position on a concrete floor in a "dark cell" during the mid-winter cold.

Other defendants are Henry Little, superintendent of another camp; J. W. Eudy, R. C. Rape and T. M. Gordon, guards.

The latter four also are charged with assault with intent to kill in connection with the same cases.

Accused Of Brutality



HENRY LITTLE

Officials And Doctor Accused Of Mutilating Negro Prisoners

CHARLOTTE, N. C., April 10.—(P)—Four former prison camp officials and a physician were held on the felony charge of mutilation at the conclusion today of a judicial inquiry into the circumstances of two negro convicts losing their feet.

Superior Court Judge Donald Phillips, sitting as a committing magistrate, held there was probable cause for action against Henry Little, prison camp superintendent; J. W. Eudy, R. C. Rape and T. M. Gordon, guards, and Dr. C. S. McLaughlin, county physician.

He ordered them held under \$1,000 bonds for the superior court term beginning May 11. Little and the three guards were also held for County Court on charges of assault upon Ed Biggers and Oscar Cunningham, negro convicts who testified they were beaten at Little's camp in the dead of night.

Regulations of the State Highway Department, which has control of all convicts, require authorization from prison division headquarters for the whipping of convicts and the presence of a physician during administration of the flogging. Bonds of \$200 each were fixed on the latter charge.

T. S. Brown, prison camp superintendent who was named in the warrants for the hearing, was discharged at its conclusion. Solicitor John G. Carpenter asked dismissal of the charge, saying there was no evidence to connect him with any criminal offense.

The inquiry was ordered by Governor Ehringhaus upon the disclosure last month that Robert Barnes, 19, and Woodrow Shropshire, 19, both short term prisoners, had developed gangrenous feet in the toils of the law. In contrast, the black boy, who has had scarcely a voice raised in his defense, was found guilty of first degree murder and now awaits the death penalty unless Governor Ehringhaus intervenes.

CHARLOTTE, N. C. NEWS

In the Sight of the Law.

(Greensboro News.) Comparisons are admittedly odious; yet if they are justified anywhere it must be in the field of justice where equality before the law is hailed as the highest governing factor.

With that generalization, the Daily News approaches the case of Booker T. Watson, 15-year-old negro, who at present is on death row following his conviction of the murder of Hinsey T. Williams, Nash county farmer, on whose place he

lived. Over against it is placed the case of Alfred Denton, white lad who some years ago, when he was 14, broke onto the front pages as the slayer of Theo Tant, a farm neighbor, in the self-same county of Nash.

Watson, as the Daily News recalls shot his landlord immediately after a row which occurred one Sunday afternoon while he and Williams were playing in the Williams' yard. Ordered home, the negro returned shortly with a shotgun and killed the farmer as he slopped his hogs.

Evidence in the Denton case, unless our memory serves us false, was that the boy hid in a tobacco barn and shot Tant as he drove by on a wagon. Tant had been accused of molesting Denton's still. The case attracted major interest with press, pulpit and sentiment generally rallying to the boy's side. But that gets into the realm of punishment, which deserves a paragraph to itself.

The white boy was sent to Jackson training school, where he spent approximately three years before being dismissed by the state back to his old surroundings, influence and environment which now, incidentally, have again landed him in the toils of the law. In contrast, the black boy, who has had scarcely a voice raised in his defense, was found guilty of first degree murder and now awaits the death penalty unless Governor Ehringhaus intervenes.

Comparisons are odious? Odious indeed when they reflect such inequalities in the sphere where equalities of all places are supposed to obtain.

Anderson, S. C. Independent Trib. April 12, 1935

UNWARRANTED

Four North Carolina prison camp officials have been indicted on charges growing out of the maiming of two negro youths in "torture cells" at the camp.

The negroes' story was one of brutal and heartless mistreatment, antempered with even the slightest tinge of mercy.

5 HELD IN CAROLINA PRISON CAMP PROBE

Such tactics may be necessary at time to deal with unruly prisoners, but the authority to do so did not in this case lie with the men now facing charges. Too often the chance to lord it over a more humble being turns the minds of men who have little minds to turn, resulting in unwarranted brutalities.

Anderson, S. C. Record

April 22, 1935

IN THE NEWS OF THE DAY.

North Carolina authorities have lost no time in investigating stories of torture in a Mecklenburg county prison camp, where two negro prisoners, whose feet became infected as a result of neglect while they were held in solitary confinement, had to have their feet amputated.

Acting swiftly, authorities brought charges against five former prison camp officials and now the grand jury has acted and has indicted the five officials on charges of torture. The speed with which this investigation has been handled and the consequent speed of the grand jury in bringing out indictments against the men speaks well for North Carolina authorities.

CHARLOTTE, N. C.
NEWS

MAR 31 1935

Note on a Shooting.

An inconspicuous little item of news which many people doubtless read without attention or overlooked entirely was that telling of the collision between automobiles driven by one Grady Sullivan, Negro, and J. B. Earle of the city police department. The Negro's car was said to have sideswiped the officer's car, then to have careened into a vacant lot. Two men jumped from it and ran. The police officer reached for his pistol and fired. He wounded one of them, Grady, in the arm.

The wound was only superficial, which was a lucky break for the Negro and perhaps lucky for the officer. At any rate, the incident is called to the attention of the solicitor of the county recorder's court, which is understood to be the proper agency for hearing cases

involving the city police, with the request that he determine if there is not grounds here for a warrant charging the police officer with assault with a deadly weapon.

MUTUAL RESPONSIBILITY.

The case of Booker T. Watson, to which reference was made in these columns Monday, offers no less a study in the state's, representing organized society, responsibility for the young slayer than the boy's responsibility, as he waits on death row, to the state.

In this connection, it is difficult to keep one's thoughts from turning to the Dwight Beard case where conditions, it is true, are different but where the contrast in environment, which must have something to do with the fixation of ultimate responsibility, could hardly be sharper.

Beard, young white man who has been given a commutation of sentence, apparently had every opportunity. He had a chance at a college education; he was Y. M. C. A. and camp counsellor; he was a promising athlete. Yet, with these influences around him and these opportunities, he entered upon a deliberate career of crime. He was expelled from college for stealing; one crime led to another, each with increasing seriousness, until his conviction of first degree murder as the outgrowth of the slaying of a Valdese merchant during the course of a robbery.

Against these chances which Beard had, there is nothing in the record, as the Daily News has seen or heard it, to show that 15-years-old Booker T. Watson had any. He is, according to advices received from a Nash county citizen, "simple minded to the extreme; an ignorant, impulsive misfit; a native in an environment productive of just this sort of thing." Who is the greater offender, certainly in the moral if not in the legal sense, a young man who had every opportunity and spurned it or a negro boy who has had none but spent his brief life under conditions which contributed to his delinquency and crime?

The problem of Booker T. Watson, and there are many of his type, is not easily settled. He is a killer, society would probably be better off by wiping him out. But society's responsibility does not and cannot end so precipitously.

GREENSBORO, N. C.
RECORD

APR 6 1935
Guilty, But . . .

In changing the sentence of the Nash county black boy, Booker T. Watson, from death to life imprisonment the governor saves the state from the ignominy of executing a half-witted child who never had a chance.

Booker, from all accounts, is guilty as hell. Angered at a white landlord, 55, the boy, 15, rushed home pouting and mumbling the while, snatched up a gun, hurried back and fired a fatal shot. The killing was deliberated, premeditated. This, in the eyes of the law, is murder in the first degree. The penalty in North Carolina is death.

Solicitor Gilliam, who prosecuted the case, recommending clemency solely on the grounds of the defendant's youth, said: "He was not 16 at the time of the murder and cannot avoid the feeling that it would be improper to take the life of one so young." Mrs. Bost, state welfare director, showed that Booker has the mentality of a boy only seven years old, or maybe eight.

Even though this boy murdered in cold blood the circumstances are such that we believe the governor did no violence to justice in commutating sentence.

The overshadowing tragedy of it is that there are hundreds of youths like Booker in North Carolina—mental misfits, lacking opportunity and a chance to better their lots and not infrequently lacking in the bare necessities of living.

What is the state doing about these Bookers? Shall they be left to grow up in poverty, ignorance and crime. Shall they be herded up and jailed, or perchance permanently put out of the way? Surely the state—society—has a sense of responsibility. The quicker this is realized the better it will be for society as a whole. The way to remedy or to eliminate evil is to begin at the beginning.

WILMINGTON, N. C.
NEWS

MAY 6 1935

FROM WHENCE COME OUR KILLERS

The United States boasts, or deplors, twelve thousand homicides a year. Who commits them? Are they men and women of culture and education, or spawns of the slums? Are they native borns, or those of foreign extraction?

The statistical bureau of a prominent life insurance company answers some of these questions in the following:

"Unfortunately we have little information about any of the points we have raised. Only here and there are data available which throw light upon the slayer, and these are insufficient to present any clear-cut picture of the group. Consequently, we have attempted to piece together such shreds of information as will make a composite for guidance in understanding these criminals. Studies of limitant groups indicate rather clearly that the slayers are almost entirely confined to men. Negroes are found in numbers out of all relation to their proportion in the population. Contrary to prevailing opinion these murderers are not, for the most part, in the very early years of adulthood. In several studies the largest single group was in the age period 25 to 34 years. Few of them have had the benefit of a good education."

North Carolina, however, which has a homicide rate far out of proportion to its population has no foreign borns, and a universal system of education.

From these deductions, it would appear that the answer lies in the training at home.

Witnesses Tell How Police Beat Negroes

Provide Evidence To Show That Flying Squadron Of Officers Attacked Negroes—Further Investigation By Council And Commission.

Definite evidence that "flying squadrons" of uniformed and plain-clothes police officers staged massed attacks on unsuspecting negroes in various parts of the city's negro quarter Saturday night August 3 was presented at an investigative session of the city council and civil service commission yesterday afternoon that no one was on trial but that the witnesses were to be examined in an effort to get at the truth of the charges.

However, of the seventeen negroes in a four-hour session, very few could name any of the officers who are alleged to have participated in the attacks. Most of the witnesses claimed that they did not know the officers, were too excited and frightened to obtain clearcut views of them, and were too anxious to get out of the way of the policemen to see who they were.

Examine Petitioners The questioning began with the examination of the group of prominent negroes of the Negro Protective association who signed the petition requesting the civil service commission to conduct a hearing of the allegations.

Dr. M. W. Butler, negro dentist, who was active in seeking an investigation and who was one of the negroes who signed an affidavit from place to place, scattering abuse on the part of the policemen in eating establishments, was the first witness.

He told of being in Estelle Patton's cafe on East Second street striking them with blackjacks, cue sticks and rubber hose.

The hearing, which began shortly after 3 P. M. and continued until 7 P. M. will be resumed at 7 o'clock tonight, at which time it is expected that the score of officers, who were summoned yesterday, will be called to the witness chair.

The complexion of the hearing was suddenly changed just at the beginning. Previously it had been announced by Mayor Douglas that the hearing would be conducted by the civil service commission with members of the council merely sitting in and at the opening J. M. Scarborough, city attorney, explained the law and declared that the civil service commission was the only body that could conduct a hearing on police officers.

Sides' Position Immediately Councilman L. Ralway, who always been fair and courteous to negroes, declared: "There is no law to prevent the city council from conducting any investigation that it sees fit and I do not propose to sit here and just listen. It's the council's business to have a thorough investigation of this disrespectful situation and that is what I propose to do."

Civil Service Commissioner C. M. Z. Alexander, Jr., president of the Westbrook expressed agreement with the councilman's remarks and suggested that the two bodies sit together for a careful investigation. This was finally agreed upon and the investigation got underway.

Solicitor Brock Barkley conducted the probe, first calling all witnesses into the council chamber to explain

to close. He explained that he told them he had already closed and that he was "just cleaning up." They left and later he went to his door, and saw negroes scrambling from the adjoining cafe of Estelle Patton. He said he heard shuffling inside the cafe. He also told of overhearing a telephone conversation of Victor Joens, who telephoned police headquarters regarding the disturbance.

Estelle Patton, owner of the cafe visited by the officers, said that she had been running her business for eight or 10 years and had never had any trouble with police. She said she lost several dollars because her customers were forced to rush out without paying her. She said the officers cursed and struck the customers. She could not identify any of the men.

Says Woman Was Hit Victor Jones said that he was in Helen Parker's cafe on East Second street, when a group of officers in three or four automobiles drove up at the first command to put out the lights. Jones said he thought it was a hold-up but later saw uniformed officers in the streets. He said that he recognized Officer Campbell. When he saw an officer hit a woman he said he telephoned headquarters from Patton's hotel and told the man who answered the call that policemen were beating up men and women. He said he was asked if he had been hit and when he answered "no" the man at headquarters said, "Well, that's too bad. We'll send them right back." Jones said from the tone of the voice he inferred that the police would be sent back to beat him.

Alberta Hayes, buxom negro woman, who laughed merrily when the solicitor questioned her about her arrests on liquor charges and of the visits of officers to her place to search for liquor, declared that three cars of officers drove up to her cafe on East Tenth street and three of four came in and began knocking and hitting those inside. She said she recognized Officer Baker, identified as the "short fat man" dressed in a blue suit, and Officer Hunnicutt. She said at least two negro men were hit and one of the officers, swinging a cue stick, missed and struck a stove pipe leaving a dent in it. One of the men appeared to be drunk, as he "staggered into the sink," the witness testified.

Walter McNeely, 708 East Tenth street, was in the cafe, but he said he was more concerned with getting out without being hit than with seeing who the officers were. He said he was hit across the back and was unable to work for several days.

Hit Over Head Will Withers, also a customer in Alberta Hayes' cafe, said he was struck across the back and "couldn't work all last week." In answer to Commissioner Westbrook's question, he said that he did not have a doctor.

Robert Ellis, operator of a smoke shop on East First street, said that

"15 or 20 officers" came to his place and took cue sticks, and knocked out the lights. He said the officers took the cue sticks away with them. He said he recognized Mr. Holliman, the fingerprint man. He also said he saw Mr. Baker and Lieutenant Sturgis. He said he saw the officers hitting and striking various ones.

Robert Phifer, clerk in a market, said he saw a bunch of officers beat "four or five people." He saw Lieutenant Sturgis but did not see him striking any one, he said. A negro man walking across the street was knocked down and the groceries he was carrying were spilled in the street. He testified. His land run out and got in the dirt and "I gave him some more," Phifer said.

J. E. Suber saw an attack at First and McDowell streets but he could not identify any of the officers. Ben Knox was in the same vicinity and declared he was struck by Officer Bowlin when he "wasn't doing anything." John Scott related that he was beaten on Saturday night August 3 and also the previous Saturday night. "The first Saturday night I was hit by Officer Campbell," he testified.

Louis Grier, in the vicinity of East First street, told how he had seen several beaten up, how he had begged the officers not to hit him as he had been shot in the back, and how he saw one officer break a cue stick over a negro's head.

Telephoned City Manager L. L. Little testified that he was at First and McDowell streets and was hit. He said he saw Officer Holliman and Lieutenant Sturgis. He thought he also saw Officer John Severs. He related that he telephoned the city manager and asked him if an officer had a right to strike him when he was minding his own business. He said the city manager said he didn't think an officer had a right to do that.

Each of the witnesses were examined separately, only one witness being called into the room at a time.

Reports prior to the hearing had tended to show that A. P. White, chairman of the civil service commission, was with the officers on East Second street but during the entire afternoon no reference whatsoever was made to him. He sat with the other two civil service commissioners, Dr. Claude B. Squires and Mr. Westbrook.

Licensing Criminals

The practice of courts in imposing fines and suspended sentences often results in merely licensing criminals to harass and exploit law-abiding citizens.

For example, we cite the case of Nathaniel Foy, better known as "Brother" Foy, Winston-Salem Negro, who has been in court many times in recent years charged with bootlegging, larceny, receiving stolen goods, etc.

A few years ago Foy finally was forced to serve two comparatively short terms in prison, one in Atlanta and another in this State. But after leaving prison he returned to his former criminal practices and so far has been highly successful.

Several months ago he was convicted in our municipal court of violating the prohibition law. But no prison sentence was imposed. He was merely fined and given a suspended sentence.

Not long afterward he was convicted in a Greensboro court. Again, the prison doors did not swing open for "Brother" Foy. This time he was also fined and put under another suspended sentence.

And now "Brother" Foy comes into the Winston-Salem court once more, charged with larceny. But he is still a free man walking the streets under a \$1,000 bond waiting for a hearing in superior court which has jurisdiction in this case.

Once this notorious criminal was given "another chance" by the judge of our municipal court, upon the plea of a highly respected Negro citizen who agreed to give Foy a job and endeavor to persuade him to become a law-abiding citizen. But not long after that he was in court again for another fine and suspended sentence—but no prison sentence.

Just how this Negro manages to escape when so many others, white and black, are being sent to prison every week, we are at a loss to understand.

But this we do know: The common practice of fining such criminals as Foy and placing them under suspended sentences, thus enabling them to continue their nefarious business, is more responsible than

anything else for the alarming increase in crime.

Suspension Looms For 13 Policemen

Resignation of Two Remaining Members of Civil Service Commission Also Expected in Police Investigation.

BY TOM WATKINS,
(Observer Staff Writer.)

Suspension of the 13 officers said to have participated in the alleged mass attack on negro citizens in the Brooklyn section August 3, and also the acceptance of the resignations of all three members of the civil service commission by the city council appeared a possibility yesterday when J. B. Marshall, city manager, declared the investigation into the affairs of the police department would not be dropped.

The officers who testified they were present in the Brooklyn section last night that a special session of the city council will be called Monday afternoon at 4 o'clock to handle necessary matters.

It further was intimated the municipal government will not appoint a new civil service commission for several weeks, but instead would attempt to reorganize the police department by first suspending the 13 officers who testified during the council's investigation that they were present when the unprovoked assault upon the negro citizens was said to have taken place.

TO DRAFT NEW RULES.

Mr. Marshall said he would prepare a set of rules under which the new civil service commission must operate. Backed by the council, Mr. Marshall said the commissioners appointed by the council must agree to sit only as a trial body and to prepare an eligibility list for the police and fire departments.

The city council at the present time will not demote or discharge Police Chief E. D. Pittman, recommended by the civil service board. Since the commissioners said they were ready to resign as a group if Chief Pittman was removed, it is believed the council will accept their resignations.

While the individual officers involved in the alleged assault probably will be granted further hearings before the city manager, it is of practical assurance they will be suspended for disciplinary reasons.

"The investigation into the affairs of the police department will not be dropped. We are determined to get to the bottom of the whole affair," City Manager Marshall said.

THE 13 INVOLVED.

A number of the councilmen have expressed their determination that Chief Pittman will not be demoted at the present time, and

from indications yesterday the resignations of Dr. Squires and Mr. Westbrook will be requested. Mr. Westbrook will be requested to resign, who was present with the officers when the alleged attack took place, has already formally notified the administration of his resignation.

TO LIMIT AUTHORITY.

Prospective appointees to the commission will be informed that their authority will be drastically reduced, but, if they are willing to operate as the council wishes, they may serve on the board that in the past has had full and undisputed sway over this important branch of municipal service.

Members of the council and the city manager also feel that it is the duty of the administration to see that the police department is operated as it should be operated, and for that reason are taking the matter into their own hands to right a complicated situation that may later end in the courts.

One councilman said last night that the legislature will be requested to rectify laws governing the commission.

Officers participating in the raid, if they did participate, should and will be punished," Mr. Marshall said. "This investigation will not end until the administration is fully satisfied, and at the present time there are a number of things yet to be cleared up."

While Mr. Marshall made no direct statement to the effect, he intimated that he felt a number of the officers presented perjured testimony to the city council.

Just what action the council will take Monday afternoon is problematical, but is expected they will thoroughly probe the present situation and receive recommendations from the city manager.

The police department, since the investigation started several days ago, has been on pins and needles, and city officials are desirous of clearing the complicated muddle as quickly as possible.

Those familiar with the affair concerning the negro citizens maintain it is not likely that the council will take all necessary action Monday afternoon.

If the wishes of the city manager and the majority of the council members is carried out the new civil service commission, when it is appointed, will only have authority to hear trials in which officers are involved, and to prepare an eligibility list.

The municipal government would in actuality operate the department through the city manager and police chief.

Strict discipline will be the order of the day with a number of high police officials being replaced.

Since Chairman White already

has resigned, Mr. Marshall pointed out that the two remaining members cannot function since the law requires a full board to be present before any business can be transacted.

"Although the commission adopted its own rule that two members would constitute a quorum, the commission cannot legally function without three members," Mr. Marshall said.

Charlotte, N. C. Observer

August 17, 1935

POLICE INVOLVEMENTS.

The explosion down at the City Hall involving the conduct of police officers and their alleged outrages among the negro population, is beginning to reveal in its wake some rather alarming circumstances.

Two definite facts leap out.

First, that there is an unwholesome disaffection and confusion of authority existent between the City Council and the Civil Service Commission.

Second, that within the police department are smouldering fires of a veritable feudism which have been raging to the detriment of efficient service in the law-enforcing field, and to the fatal impairment of even the commonest and crudest discipline.

And such disclosures call imperatively now for definite, clear-cut and final action that will clear away these two disturbing factors, that will settle once and for all who is in control of the police department as between the Council and the Commission, and that will harmonize the disturbances within the personnel of the department.

These revelations have for the moment subdued public interest in the specific occasion that brought these facts to the surface, but they have not enabled the people to arrive at a satisfactory conclusion concerning these alleged outrages against the negroes.

Perhaps, however, for the moment, whatever may come later of this, it were better to concentrate on clearing up the mess that is being exhibited as to the authoritative functions of this department and as to the enmities, jealousies and rivalries that seem to abound within the personnel.

The Council now has opportunity, with

the resignation of CHAIRMAN WHITE of the Commission, which seems certainly to have been in order, to have a fair, friendly and final understanding with the members of this civil service board.

This board under the present law, quite questionable as to its propriety, expediency or wisdom, has jurisdiction over the police department.

But so long as this commission is appointed by the City Council and derives its official title to function from that source, the Council could reasonably claim authority and responsibility for the conduct of the police department.

That is, unless the creature is to be more sacrosanct in its authority than its creator and unless, by the almost laughable caprice of this law, we are to have an official situation in the City Hall by which the tail is to wag the dog.

And then, too, it is obvious that the spirit of divisiveness that exists among those who are subalterns of the Commission, involving as it does even CHIEF PITTMAN—this spirit of discord and rebellion and lack of discipline must be surgoned out if this community is to have an efficient police establishment.

Thus it would seem the path of stern and unavoidable duty for those in high authority, whether they be councilmen or commissioners, is clearing up. The next development called for is that courage to carry out what is coming to be so palpably the plain call of this official and patriotic obligation on their part.

Concord, N. C. Tribune
October 24, 1935

THE CAUSE.

The News and Observer tells of the case of a Wilson county Negro who was sentenced to twelve months on the roads for stealing chickens and in the same court three drunken drivers had suspended sentences lifted in favor of temporarily revoked licenses and \$50 fines.

The practice of chicken stealing is not to be tolerated, of course, but still one can but wonder at the caliber of justice which jails the thief and frees the drunken driver.

At best the negro is not a menace to the life and limb of our motorists. He doesn't carry a threat to every innocent person who would utilize the State's highways.

But how many times have you read of anybody in this State being sent to the roads for 12 months for driving a car while drunk? Recently Judge Hunt Parker gave a man six months on the roads for his fifth conviction for this crime and his sentence was hailed as one of proper severity. But as The News and Observer says, even "six month sentences for drunken drivers are almost as rare as blue horses on North Carolina's roads."

This indifference to the man who drinks and drives is the cause for disrespect of our courts and our laws. "Maybe some day the judges of North Carolina courts will come to consider a man who drives in drunken menace on the public roads of the State a character as dangerous as a man who slips two chickens out of a back yard," says our Raleigh contemporary. "When they do, when they consider the safety of people on the roads as important as the safety of chickens in hen houses, as a State we may begin to get somewhere in creating respect for the law on the roads of North Carolina."

WHITE MAN WHO
SLAPPED NEGRO
WOMAN FREED

Negro Who Did Same
Thing Was Lynched
A Few Weeks Ago

Special to Journal and Guide

HERTFORD, N.C. —Luther F. Congleton, white, an attorney and dealer in seafoods and fruits, was tried here last week by Judge Walter H. Oakey in Recorder's Court on a charge of slapping Miss Marie White, a young colored woman. Congleton's nine-year-old boy was playing in front of his father's fish market, which is in the colored section of this quiet little town, and two doors from Miss White's home, when Miss White's six-year-old brother supposedly threw a small missile which hit Congleton's boy and then ran home.

Congleton's boy ran into his father's place and told his father. Being enraged because a colored boy had hit his son, Congleton ran out of his place in search of the boy.

Discontented because he could not find young White on the street, he ran into Miss White's home and up the stairs, where he opened the door to Miss White's room. Miss White was making up her bed when he rushed into her room and asked her where her little brother was, and because she did not tell him he slapped her. Miss White struggled with him, trying to get him out of her room, and finally succeeded after having inflicted a small scratch on his face.

"Would Do It Again"
When tried before Judge Oakey, Congleton said: "Fifteen or sixteen of the 'nigger' boys play around my place nearly every afternoon and are always throwing at my boy."

Judge Oakey did not rebuke him for using the word "nigger." When asked if he was guilty of slapping Miss White, he said: "Yes, I'm guilty. I did it and I'd do it again."

Judge Oakey dismissed the case. Outside the courthouse, after the trial, Congleton is quoted as saying: "I would have killed the little 'nigger' if I had got my hands on him."

HERTFORD, N. C. Herald
November 23, 1935

GUILTY OF MANSLAUGHTER

Guilty of manslaughter was the verdict last week of a Bertie county jury who sat in the trial of a Negro, Spurgeon Burke, who had killed a six-year old white child of that county with an automobile. A sentence of two years was imposed upon the Negro for his act of carelessness which resulted in death. We know none of the circumstances surrounding the death of the child other than he was killed by an automobile driven by the Negro. Perhaps the driver was drunk, or it may have been a case of hit-and-run, or reckless driving. Yet, whatever incriminating or mitigating circumstances there may have been connected with the case, this Negro killer, we have no doubt, had no intention of killing the child for whose death he was sentenced to the penitentiary. He did not kill in anger, or with malice afore-thought as a murderer. Unquestionably, as it is often expressed, he would not have had the accident, if a death resulting from carelessness or recklessness with a machine as dangerous as an automobile is known to be should ever be called an accident, happen for "anything in the world." But it did happen and the child was killed by the Negro's carelessness.

The Bertie county jury decided that such an "accident" constitutes the crime of manslaughter. In that we agree with the jury. More verdicts of this sort by juries before whom careless drivers who bring death on the highways are brought for trial will go a long way in impressing the importance of observance of traffic laws. It will accomplish more for highway safety than any other force, including highway patrols and license laws. Nor should such verdicts be restricted to Negroes who kill whites, but imposed without discrimination upon all highway killers, high and low, white and black, young and old.

Windsor, N. C., Advance
November 29, 1935

(From Hertford County Herald)

GUILTY OF MANSLAUGHTER

Guilty of manslaughter was the verdict last week of a Bertie county jury who sat in the trial of a Negro, Spurgeon Burke, who had killed a six-year old white child of that county with an automobile. A sentence of two years was imposed upon the Negro for his act of carelessness which resulted in death. We know none of the circumstances surrounding the death of the child other than he was killed by an automobile driven by the Negro. Perhaps the driver was drunk, or it may have been a case of hit-and-run, or reckless driving. Yet, whatever incriminating or mitigating circumstances there may have been connected with the case, this Negro killer, we have no doubt, had no intention of killing the child for whose death he was sentenced to the penitentiary. He did not kill in anger, or with malice afore-thought as a murderer. Unquestionably, as it is often expressed, he would not have had the accident, if a death resulting from carelessness or recklessness with a machine as dangerous as an automobile is known to be should ever be called an accident, happen for "anything in the world." But it did happen and the child was killed by the Negro's carelessness.

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HAS HAPPENED BEFORE WITHOUT SO MUCH HUE AND CRY.

From all sections of the State, Raleigh news paper men tell us, have come protests against the electrocution of three white youths at Raleigh. The trio was charged with the robbery and murder of an aged merchant and each confessed to his part in the crime.

It is to be regretted that the State has to take such drastic measures at times but what else in this particular case could the State do? One would think from the hue and cry raised that this was the first time such penalties had ever been demanded but such is not the case.

On at least one occasion three negro youths were put to death, each denying any guilt. There was no State-wide protest on that occasion. Life is just as sweet and just as important to three negro youths as to three white youths.

One of the causes of the increase in crime is the white man's ability to often escape justice. The State as a rule cracks the whip for the Negro man but it is not always so zealous in prosecuting his white neighbor.

It is regrettable, we repeat, that three youths had to be punished but their crime cannot be laid against the State. The law makes certain demands and it is the State's duty to see that these demands are met. The fault, if there be a fault, lies with the men and boys who take a chance, who are willing to risk their necks against the efficiency of law enforcement officers and against the certainty of the court's displeasure.

Rather than denounce the State's requirements in such cases we should bemoan the fact that so many of our people—and particularly our young people—are willing to violate the law and should determine that every agency at our command shall be utilized in teaching and demonstrating not only the majesty of the law but the certainty of punishment for those who violate it.

Asheville, N. C., Times
November 4, 1935

NEGROES WANT BUTTER AND EGG LOTTERY ENDED

Leaders Employ Attorney
To Prosecute Cases In

County Court.

Leading negro citizens and negro churches of the community today had taken steps to launch a drive against the butter and egg lottery in Asheville.

The negroes, claiming the practice is "bleeding their race" engaged Sanford Brown, attorney, to assist Solicitor John Cheesborough in the prosecution of the four persons charged with conducting a butter and egg lottery. Mr. Brown announced in general county court today.

The butter and egg case was set for trial today, but by consent of attorneys and Judge J. P. Kitchin in the general county court, was continued until November 18.

Defendants in the case, who were indicted by the Buncombe county grand jury, are: H. G. Black, Chris Moshoures, Spiro Patelmous and B. R. Quick.

The true bills were returned by the grand jury after an investigation made at the suggestion of Judge John M. Oglesby in Buncombe county superior court. The case was moved from the superior court to the general county court.

In the operation of the butter and egg lottery, tickets of various denominations, each bearing a number, are sold for amounts ranging from one cent upward. If the number on an individual's ticket is identical with certain figures in the day's quotations of the Chicago market, that person is entitled to receive from the lottery a certain amount, depending on the cost of the ticket purchased.

BURLINGTON, N. C. TIMES

DEC 28 1935

BARBAROUS POLICEMEN

THE fatal blackjacking of a man at Angier by the two policemen of that town Christmas Eve appears to have been one of the most stupid and cold-blooded examples of savagery ever perpetrated by men to whom has been given the power of arrest over their fellow men.

Furman Collins, 47, was standing on a street corner, it appears, innocently watching some boys playing with firecrackers. He was not armed; he was apparently proving offensive in no way to anyone except O. M. Pollard, one of the two policemen who arrested him 'because he was slightly intoxicated'. What aroused the anger of the officer toward his victim is not reported. C. F. Deans, the town's other policeman, joined then in the arrest—the 290-pound Pollard was seemingly unable to handle the desperate 160-pound and unarmed Collins—and together they escorted him to jail.

At least that seems to have been the consensus of the jurors' opinions, for all they did was to administer a gentle wrist-slapping to Cap'n Little and his cohorts. However, the men were discharged. Perhaps the Negro victims of their brutality can contemplate that fact and derive some slight solace of retribution suffered by the men who left them stumps for legs.

But we digress. After all, the Mecklenburg stench, as hideous as it was, is no satisfactory parallel. This Angier case appears to be even more indicative of a certain class of obscene brutes who apparently—by what deft ministrations of politics, one can only guess—can secure jobs on police forces at any time. It seems a shame that such men have to go such length as to kill other men, or at least to torture them and leave them maimed for life, before the citizenry discovers their ineptitude for positions as officers of the law.

Perhaps this time, Messrs. Dean and Pollard will fare not so fortunately as did their Mecklenburg predecessors in facing the jury. Let us enthusiastically hope so.

having been arrested before, it is stated. He was injuring no one in any way, was making no nuisance of himself whatever when arrested. He is survived by his wife and several children, and is the owner of a 'nice little farm', Solicitor Claude Canaday stated.

The performance is in many unsavory ways a reminder of the abuse, torture and even alleged murder heaped upon convicts in the Mecklenburg county camps under the regime of the now discharged Captain Little and his merry men, whose idea of one way to enforce 'discipline' was to shackle two Negro prisoners in their filthy and cold cell until their feet had rotted so from gangrene that they had to be amputated. Of course, since these men were already convicts—one of them, we believe, had been sentenced for driving a car while under the influence of liquor, and the other for petty larceny, was it not?—it might be reasoned that some sort of punishment was due them.

Crime-1935

North Carolina

Charlotte, N. C. Observer
September 8, 1935

GENERAL MECKLENBURG.

Mr. J. B. Marshall, City Manager;
Mr. C. C. Beasley, Chairman,
Civil Service Commission.
Gentlemen:

Your activities of the past week along the line of promoting better discipline in the Police department have had the approval of the majority of the citizenship of Charlotte, in my opinion. Your disposal of the cases of the 13 police officers involved in the disturbance of the night of August 3 in the negro section, it seems to me, was sufficient to protect the interests of the department in the matter of discipline and yet was not so drastic as to impose an injustice upon any one.

All together, I think your efforts of the last several weeks to increase the efficiency of the Police department and to raise its standards of discipline have been commendable, and should result in a stronger police force and less of disturbance, friction, jealousy and incidents reflecting upon the good name and reputation of the department, of which there had been too much.

GENERAL MECKLENBURG.

ASSERT THEY WERE SENT TO QUELL FIGHTS

At Conclusion of Testimony Early This Morning, Mayor Douglas Said That Any Action Council Might Take Will Be Taken at Regular Meeting This Afternoon.

The 13 city policemen alleged to have brutally and unprovokedly attacked negroes in several sections of town on the night of August 3, individually made flat denials of the charges in testifying before the city council and civil service commission meeting in a joint session that lasted until 2 o'clock this morning.

Each of the policemen alleged to druggist at 423 South McDowell street, who identified himself as that provoked certain negro citizens to seek a hearing before the civil service commission testified that it was to being at the points in question—in the Brooklyn section of the city—but each steadfastly maintained he had not entered any place of business and had not, as charged in the negroes' petition, used blackjack, rubber hose, or billiard cues on anyone on the night in question.

Supporting the testimony of the officers was that of a surprise volunteer witness, A. L. Bridges, who testified that the meeting be adjourned at a closed session for "informal

discussion" of the findings arrived at in two exhaustive hearings that began Monday, with the presentation of the allegations of the complaints. The meeting adjourned at 3 a. m.

Mayor Douglas declared any action to be taken, will be taken at the regular council meeting this afternoon.

A. P. White, chairman of the civil service commission, refused any statement. It was Mr. White's presence near the scene of the alleged attacks, and the fact he had accompanied officers on the calls on the night of August 3, that led the council to sit with the civil service in hearing the testimony, as ordinarily the complete control of the police department is in the hands of the civil service body.

The officers contended that the streets near First and McDowell streets, and First and Davidson streets, where the alleged "flying squadron" of officers was said to have conducted a brutal attack upon colored citizens, were crowded and that a number of fights were in progress. They said they eliminated the congestion and closed a number of establishments, but denied that they assaulted anyone.

SAY POLICEMAN ATTACKED. Chief Littlejohn, who was ordered to make a thorough investigation by Chief Pittman, reported that five officers named in affidavits as having participated in the alleged mass attack, were not men came to his rescue.

The hearing, which began about 7 o'clock continued until early this morning with Mayor Ben E. Douglas presiding and City Solicitor Brock Barkley doing most of the questioning. From time to time, members of the civil service commission interposed questions, and frequently the city councilmen did likewise. Principal witnesses in addition to Civil Service Commission Chairman A. P. White, were Police Chief E. D. Pittman, Assistant Chief Frank N. Littlejohn, Night Executive Officer B. A. Williams and Lieutenant A. L. Sturgis.

REPORT OF FIGHTS. In explaining why so many police cars congregated in a designated district the policemen said they received calls at headquarters that fights were in progress, and later, upon arriving at the scene, received radio calls to proceed to other negro districts where disturbances were reported.

During the investigation, which was continued from Monday afternoon when the council and commission heard 17 negroes testify to brutal treatment at the hands of

city policemen, the members of the two boards heard a denial from Chairman White that he had either participated in or saw any brutal treatment of negroes by police around midnight of August 3.

CHAIRMAN WHITE TESTIFIES. Mr. White, testifying under oath, declared he was seated in a police car on South Alexander street near one of the negro eating places alleged to have been raided by police, but said he saw no evidence of brutality. He did see a number of negroes running from the place, he said, but considered that not unusual since negroes usually scatter when they "see the police coming." He said the officers were taking him home after an investigation he had made of the city jail.

The civil service chairman said he would not state that the charges filed by a group of Charlotte negroes in their request for an investigation of alleged misconduct on the part of "four car loads of officers" were not true, but he was positive in his declaration that if such actions did actually take place it was without his knowledge and consent.

Chief Littlejohn, who was ordered to make a thorough investigation by Chief Pittman, reported that five officers named in affidavits as having participated in the alleged mass attack, were not in any way involved. He did, however, name 13 officers who were in the particular negro district about 12 o'clock on the night in question. These officers, he said were Brock Barkley doing most of the questioning. From time to time, Chief Littlejohn named, and who later admitted being in the vicinity, are B. A. Williams, Sturgis, Brown, Funderburke, Presson, Holiman, McCall, Ritch, Philemon, Timmons, Finlayson, Miller and H. C. Baker.

FOUND STREETS CONGESTED. When called upon for individual testimony the officers frankly admitted they went to several negro districts, but declared they went there to quell disturbances. They said they found the streets congested with negroes. They denied using blackjacks, cue sticks and rubber hose, in running patrons from cafes and other places of business. Only two officers during the entire investigation said they saw any rubber hose and then by headquarters and asked if it was necessary for her to close her place of business on Saturday night. Chief Pittman said he told the woman that the place of business

Prior to the testimony given by the policemen, three negroes, who were unable to be heard on Monday, appeared and gave their version of the trouble.

Helen Parker, cafe owner at 424 East Second street, said a number of persons were eating at her place when about four officers rushed in and used blackjacks and hose to disperse the customers who were not causing a disturbance.

Willette Gaffney, employed at a sandwich shop at 527 East First street, said officers came in cursing and when he started to leave they struck him and his mother with a rubber hose. He said he was unable to identify any of the officers. James Alexander testified that Officer Campbell struck him. (Officer Campbell according to later testimony was at home during the time of the alleged attack and in no way participated). He stated he had never been in any trouble.

Jim Massey, well known negro, declared that the officers were not at fault and that the whole "thing was started by a bunch of ignorant persons." He said the negroes who brought the charges against the policemen were "just working against the police department." He declared he was not present at the time of the alleged occurrences, but had "been informed" as to what happened.

THE CHIEF TESTIFIES.

The first member of the police department to testify was Chief Pittman. He related that Chairman White called him Sunday, August 4, and asked if he had received any reports of trouble Saturday night. Monday, August 5, Chief Pittman testified, Mr. White came by police headquarters and again asked if any complaints had been received "about Saturday night." Chief Pittman explained that it was customary for Mr. White to call and inquire about general happenings of the police department.

The chief said that he gave no instructions for a mass attack and that the first he knew of the affair was Friday when he was notified of the affidavits that had been signed and of the petition demanding a hearing before the commission.

On Tuesday, August 6, Chief Pittman related, a woman came by headquarters and asked if it was necessary for her to close her place of business on Saturday night. Chief Pittman said he told the woman that the place of business

ness could remain open provided ten out of the car when the ne-
"it was quiet" and if she had a groes rushed by from a nearby
permit to run the place. smoke shop. I saw Miller hit one

On further examination Chief negro. Later we went to First and
Pittman said it had been neces-McDowell streets where I saw at
sary for a number of licenses to a distance Officers Williams and
be revoked because of disorders Sturgis.
that had occurred. He said he "I don't deny being in the car,"
knew nothing of the reported "fly-he continued, but I do deny par-
ing squadron tactics." In connec-ticipating with the officers in tak-
tion with the alleged attack, Chiefing part in any occurrence. I
Pittman said that so far as healso deny giving any orders or of
knew no arrests were made byconducting any kind of a raid. At
members of the police department, First and Alexander streets I saw
He also maintained he did nottwo other police cars. I believe Of-
know who led the reported raidficer Brown was driving one of
and that when he was informedthem. I did not investigate what
of the affidavits he turned the en-the police were doing there. As I
tire investigation over to Chiefsaid before I was on my way home
Littlejohn, and certainly knew nothing about

"I knew nothing about what a planned mass attack."
happened on Saturday until in- Chairman White said he did not
formed by Mayor Douglas Fri-see officers promiscuously attack-
day," Chief Pittman said. ing negro citizens and during the

Chief Littlejohn said he started time he was in the vicinity did not
his investigation Friday afternoon see any officer using a blackjack,
when he, Chief Pittman, and Dr. cue stick or rubber hose.

Claude B. Squires, a member of When Mr. White had completed
the civil service commission, ques- his testimony Chief Pittman was
tioned a number of the affiants, again called to the stand. He re-

He said the information he iterated his previous remarks that
gathered "to an extent corroborated Mr. White had called him on Sun-
the testimony of the affiants." He day and Monday with reference to
said the first time he heard of anything that might have hap-
Chairman White's being present pended Saturday night.

was when he was informed by a "Mr. White said nothing about a
negro, who said he had seen Mr.fight to me." Chief Pittmann said.
White with several officers during B. A. Williams, commanding of-
the time the raid was said to have ficer at night, testified that he and
taken place. Chief Littlejohn said Sturgis left headquarters together
Mr. White left headquarters with to investigate disturbances near
Officers H. C. Baker, Finlayson First and McDowell streets. Upon
and R. L. Miller to answer a call arriving at that point he said he
at First and McDowell streets. "found negroes running every way"

He said so far as he was able and that the streets were congest-
to learn Mr. White did not par-ed. He said he aided in clearing
ticipate with the officers in clos-the streets.

ing up any establishments and did "I saw about eight or 10 officers
not participate in any attack upon around," he said. "I saw some of-
negroes. Chief Littlejohn said his ficers slapping negroes with what
investigation disclosed that while looked like straps to blackjacks, fidavit of striking a negro, testi-

the police car in which Mr. White but there was no violence on the
was riding stopped in the neigh-part of the policemen."
borhood negroes came rushing by Mr. Williams declared that the
and Officer Baker was struck by attitude of the negroes in this par-
one of them, he said. Commis-ticular section is "hostile towards
sioner White, according to Chief officers." He further testified that
Littlejohn, remained at the auto-he saw one negro drop groceries
mobile. He said he understood the as he ran. He declared he told the
policemen were taking Mr. White negro to pick up the groceries that
home when they stopped on the "no one is going to harm you."

way.
Chairman White stated that "I was there," Mr. Williams said,
about 9:30 o'clock Saturday night, and I didn't see any policeman hit
August 3, he telephoned headquar-a negro with a cue stick or rub-
ters and asked that one of the ber hose. I think they have built
cruising cars pick him up at hisa mountain out of a mole hill. I
home on East Boulevard. He said didn't even think enough about the
he went straight to headquarters occurrence to make a report of it,"
and conducted an investigation of he concluded.

the jail. About 12 o'clock, he re- Lieutenant Sturgis said he heard
lated, he asked Officers Finlayson, of a fight at First and Davidson
Baker and Miller to take him home, streets and that he went there with

A call came in, Mr. White said, Mr. Williams. "I went to a cafe
"and we went to First and David- there and told them to close up."
son streets and then pulled into "When I arrived there," he said,
Alexander street and parked. Baker "two police cars were already
got out of the automobile, but I around."
did not. Mr. Baker had just got- Lieutenant Sturgis stoutly main-

tained that he did not see any po-
liceman acting unnecessarily rough
and was positive that he did not see
any blackjacks cue sticks or other
implements being used by the po-
licemen.

Carl Holliman, employe in the
fingerprint department, said under
oath that it was not his duty to
participate in patrol work, but that
he had been working late and asked
Officers Timmons and Philemon to
take him home.

"We went to First and Davidson
streets," he related, "but stayed
there only a few minutes and con-
tinued on to McDowell and Stone-
wall streets. When we first ar-
rived at First and Davidson streets
I saw two other police cars."

HO: E.

He said the officers went to the
districts because of reports of dis-
turbances and fights. He saw hhe
saw "a couple" of officers with
rubber hose, but that none of them
used them. "I even might be mis-
taken that they had rubber hose.
It was rather dark and I couldn't
see good. The officers may have
been holding blackjacks in their
hands," he said.

Officers Funderburke said he was
off duty, but had been "hanging
around" headquarters.

"Three or four of us," he said,
"went to First and Davidson streets
where a fight was going on. Some
negroes jumped on me and my
shirt was almost torn off."

When asked if he had seen Com-
missioner White, Funderburke re-
plied, "I thought I saw him some-
where in an automobile."

Funderburke said two or three
negroes jumped on him without
provocation. He said he did not
see any officers strike unoffending
negroes.

Officer Bowling, accused in an af-
fidavit of striking a negro, testi-
fied that he was at his home at
the time the alleged attack took
place. Chief Littlejohn said from
his investigation he learned def-

initely that Mr. Bowlin did not
participate in the reported assaults.
Officer John Severs, identified by
L. L. Little as having struck him,
maintained he was in another ward

and did not participate in the al-
leged attack. His statement was
substantiated by Chief Littlejohn.
T. R. Hunnicutt, who also was re-
ported to have been in the negro
district, declared he was on va-

cation and did not in any way be-
come involved in the alleged at-
tack. Chief Littlejohn likewise de-
clared that Mr. Hunnicutt was not
involved.
R. L. Miller declared that he was
with Officer H. C. Baker and Com-
missioner White and went to First
and McDowell streets where they
saw a number of other officers. He
said they were taking Mr. White
home at the time. So far as he

knew no blackjacks, cue sticks or instating officers temporarily sus-
hose were used by the officers. He pended for alleged inhuman treat-
said he aided in pulling "three ne-ment of young negro prisoners.
groes" off Officer Funderburke. moved for new rules for local po-
Mr. Miller maintained that Mr.lice and a police school once a
White did not participate in the month.

The first school will probably
be held in October, City Mana-
ger Rutter said.
Officer Campbell testified that he was at his home at the time of
the alleged attack. He denied hav- The new regulations will prob-
ing attacked a negro on the prev-ably be published in pamphlet
ious Saturday night. form and given to officers to
study, the city manager disclosed.

Officer Brown admitted that he went to First and Davidson streets, They will augment, he said, a set
but maintained that he did not see of city rules previously provided
any officer strike an unoffending for local police.

M. A. Altman, detective, who was
singled out in an affidavit as hav-
ing struck a negro, declared that
he was on vacation and was not
present with the other officers.
Chief Littlejohn substantiated the
statement.

Officer C. H. Baker corroborated
the testimony of Officer Miller and
also denied having struck any ne-
gro with a blackjack or any other
instrument.

Practically every one of the of-
ficers said reports were received
"practically every night" that
fights and general disturbances
were occurring in the general neigh-
borhood of McDowell and First
streets.

B. H. Finlayson, a veteran in the
department assigned to answering
calls, testified to answering the
places of business in question,
striking or clubbing anyone.

RECESS FOR LUNCH.
At 12:35 a. m., a short recess was
called and the weary councilmen
had food sent up from a nearby
restaurant.

The last four policemen called
were newcomers to the department,
all having been employed later
than the first of last February.
They were P. D. Timmons, W. A.
McCall, R. S. Pressley, and P. N.
Ritch. All told substantially the
same stories as the earlier police
witnesses.

Gastonia, N. C. Gazette
September 25, 1935

Preparing New Police Rulings

City Manager Harry Rutter
said Wednesday a draft of new
rules and regulations for the Gas-
tonia police department, center-
ing around handling of prisoners,
is in preparation by City Court
Judge A. C. Jones.

The new rules will probably be
issued to city policemen shortly
after October 1st, City Manager
Rutter said.

The city council, in recently re-

WHITE WIFE SAYS 2 NEGROES IN PEN FOR HUBBY'S CRIME

"My husband and his companion blacked their faces and went out on these holdups. My daughter and I overheard their plans by listening to them talking in the basement through the clothes chute."

Pittsburgh, Pa.—Another startling crime was solved here this week when a white woman broke down and told the truth to the police. Mrs. Jane H. Flowers told county detectives that her husband, Henry W. Flowers, serving a term in Western penitentiary for the slaying of her brother, Oakley Reynolds, black his face and with another companion, committed hold ups for which two Negroes were subsequently tried and convicted.

The Flowers woman wants a divorce, and through her attorney, Louis Little, turned over to authorities a complete record of the case, implicating Flowers and his unnamed and, as yet, unapprehended accomplice.

The white woman declares she and her daughter discovered her husband's holdup activities by listening to him and his accomplice as their voices came from the basement via a clothes chute.

Columbia, S. C. Record
March 2, 1935

White Defendants Outnumber Negroes in Two City Courts

Thirty-five cases were tried in Columbia's juvenile court and 650 prisoners were tried in recorder's court in February according to the reports of A. C. Pitts, clerk of the juvenile court, and W. B. Hughey, assistant chief of police. Heyward Brockinton is judge of both of the courts. White defendants led negroes in both courts.

Of the 35 juveniles, 14 were white boys, four were white girls, 15 were negro boys and two were negro girls. Of the 650 police court cases, 305 were white men, 25 were white women, 247 were negro men and 73 were negro women.

Offenses for which the juveniles were tried were: housebreaking and larceny, one; petty larceny, ten; disorderly conduct, five; gaming, six; truancy, five; incorrigible, three; loafing and loitering, two; dependents, two.

Offenses for which the adults were tried: drunk and disorderly conduct, 103; helpless drunk, 154; disorderly conduct, 85; disorderly house, three; petty larceny, 28; grand larceny, nine; carrying concealed weapons, eight; resisting arrest, ten; vagrancy, ten; violating prohibition, 13; nuisance, one; violating the license ordinance, five; reckless driving, 14; gaming, 25; discharging firearms, two; traffic ordinance, 14; speeding, 16; interfering with officer, three; health ordinance, four; loafing and loitering, 35; assault and battery, seven; highway robbery, two; housebreaking and larceny, two; indecent exposure of person, one; lunacy, three; driving car drunk, eight; breach of trust, one; murder, one; immoral conduct, two; safe keeping, seven; investigation, 54.

Disposition of juvenile cases: three fines amounting to \$21 or 21 days imposed; committed to reformatory, three; committed to boarding school and church orphanage, two; returned to parents or guardians, two; bound over to general sessions court, two; settled out of court, 24; placed on probation, 28; dismissed and continued, three. Twenty-eight visits were made during the month by Mrs. M. P. Kramer, chief probation officer.

Disposition in recorder's court: fines paid, 98; cases dismissed, 211; sent to gang, 84; city jail, 99; county jail, 18; turned over to magistrates, 12; turned over under state warrant, seven; sentence suspended, 93; sent to hospital for insane, three; turned over to U. S. government, two; sent to juvenile

court, 23.

In the month 1,099 days were served on the gang and 1,019 were served in the city jail. Fines collected in the month amounted to \$725.55.

Chester S. C. Reporter
April 11, 1935

The Charleston News and Courier intimates that the negro convicts who broke out of their stockade near Camden Sunday, after seizing weapons and providing themselves with ammunition, and seriously wounding one of the guards, may have some outside society or organization interest in their behalf, and by virtue of the recent Supreme Court decision in the Scottsboro case escape the consequences that the South Carolina courts would visit upon them for their insubordination and outlawry. It's not at all out of the question, and is entirely in line with the methods of evasion practiced so generally to emasculate the courts and make the enforcement of law more honored in the breach than in the observance.

South Carolina Negro Dies In Electric Chair

COLUMBIA, S. C., May 24.—(AP)—Aspiring he "didn't mean" to do it, Curtis Williams, Greenville negro, paid with his life today for the slaying of Ansel Drummond, Greenville taxi driver, last Feb. 13.

When he was led to the electric chair at the State Penitentiary here about 6 a.m. Williams admitted the murder but said he was drunk at the time.

"I'm sorry that I done that," he told prison officials. "I didn't mean to kill him. I have done other things that were wrong but I ain't never killed nobody before. It was sin that caused me to do it. I'm forgiven and ready to go."

Mullings S. C. Enterprise

August 15, 1935

A few nights ago, on Sunday, a harmless looking, good natured negro, was standing on the side walk in front of Barnhill's store. Several young local

white men approached and tried to pick a fuss with the negro, finally shoving him off the side walk. The negro, probably not wanting to get in trouble, walked away. Another negro, standing near, remonstrated with the young men and stood his ground when they tried to run over him and finally bluffed the men. It was evident that the whites were drinking. It is just such conduct as this that frequently starts a serious affair. The negro should be protected and the accusers prosecuted. Several instances of this kind have been reported lately. It seems that conditions have taken a sudden change in Mullins and The Enterprise can no longer say that moral conditions have improved since legal liquor came in. It is bad and seems to be growing worse.

On Monday morning there were 27 cases on the police blotter, the larger number of them directly or indirectly traceable to drinking. The opening of the tobacco sales, with money floating around freely, has brought on an undesirable state of conditions. The police department is being taxed to handle the situation.

CITY CHAIN-GANG FOR WHITES AGAIN

A few years ago, violators of the city laws were given so many days on the gang or so many dollars to pay. White violators however who had to go to the gang were given special consideration. That is to say, they were worked at night. Their good feeling was not allowed to be hurt by having law abiding citizens viewing them in the day time. Well, the time came when some of them were sent to work on the airport in the day time. That did not suit them—it was too humiliating. Day gang work was not for them; they simply refused to work, and the authorities allowed them to get away with it. The Negro prisoners were affected; they became dissatisfied. And why wouldn't they? Anyway no more white prisoners were sent out in the day time. In fact, the white gang was abolished—white violators being sentenced before whom the waiter and his to days in the city jail; Negroes however, who had no feelings to consider, got the gang. Result: White violators cared not much for sentences; their number increased. In fact, many months of

the year they exceeded Negro violators, and that's saying much when it is remembered that a Negro is hauled in when a white man would not be arrested. The cost of feeding prisoners mounted and mounted until it costs the city tax papers \$500 a month. Well, the city fathers have gotten tired of this. They have decided that the one who would eat, must work. So once again there will be a city gang for white prisoners. Whether they will be further favored by working at night instead of in the day as they should has not been announced. Anyway the city fathers are on sound grounds. Why feed people who violate laws for nothing. Some few states are requiring their prisoners who are able to pay for their keep—Michigan being the latest state to adopt this policy.

LEADER

CLUBBING A NEGRO

Near Charleston, last week a Negro waiter in a tourist camp was clubbed over the head by a State liquor Constable. The Constable is quoted as telling the waiter that he could do anything to him and get away with it. The waiter and his employer didn't like it however. A warrant was sworn out for the Constable charging him with assault and battery. They say the Constable at the time was under the influence of intoxicants and in company with a woman companion. The Constable countered the next day by having a warrant issued against the employer and waiter charging them with selling liquor illegally. He denied, of course, that he was drunk or that he had a woman with him. Instead, he says that he was only "playing drunk as that was the course, that he was drunk or that he had a woman with him. In any case, the waiter and his employer did not believe the somewhat fantastic story of the Constable as he dismissed the clubbed waiter and his employer, but sent them to the case of the Constable to the higher court. The waiter is not

the first Negro that has been needlessly clubbed by an officer and as a rule, get further punishment by being fined or sent to the chain gang for "resisting an officer." In this case, however, the employer didn't like that clubbing of his employe, and much interest has been stirred up over the State, putting that Constable on the defensive. At least, after all the trouble is over, there will be one liquor Constable who will not be so quick to club. Needless beating up people in the name of the law at any rate should be put upon the skids.

Greenville, S. C. Piedmont
November 11, 1935

His First

GOVERNOR JOHNSTON'S first act of clemency since assuming office at the first of the year was in behalf of an illiterate, ignorant and semi-moronic negro who had killed a member of his own race and the reduction of his penalty was approved by officials familiar with the case, including the presiding judge.

The governor's record and attitude in the vital matter of clemency continues admirable.

Charleston, S. C. News & Courier

November 9, 1935

"First Rate Piece of Work"

A negro twenty-five years old confessed to the murder of a negro girl, was tried and condemned to die, in Columbia. He was undoubtedly guilty. The judge and the prosecuting officer recommended that the sentence be commuted. Governor Johnston, who has been sparing in the exercise of executive clemency, went to the prison and saw the negro.

In the shadow of death the man did not even ask for clemency. "He is of a low order of intelligence", and the governor saw it. The man is not insane, he is not an imbecile. The governor perceived that the friendless creature was a proper subject for clemency and he exercised it.

"It was a first rate piece of work," said a Charlestonian yesterday, and it was. The judge, Mr. Johnson, and the solicitor, Mr. Spigner, shared in it. And Governor Johnston has been careful and scrupulous, like an old-fashioned governor, like a Hampton or a Simpson, in issuing pardons and commutations.

Judges and others in authority have been looking after poor negroes always in South Carolina. Cases are unknown when injustice has been done negroes if the judge could top it.

Incidents like this commutation by Governor Johnston are never mentioned in the Northern "liberal press", a press which tries the "Scottsboro boys", acquits them, denounces the Southern courts—and obstructs the efforts in the South to put an end to lynchings.

Crime-1935

Tennessee

NASHVILLE, TENN. MORNING TENNESSEAN

JAN 11 1935

"Hush Money."

The case against two deputies sheriff who are alleged to have been collecting "protection money" almost weekly for two months from a negro woman bootlegger calls for the most drastic sort of investigation and, in case the charges against them are sustained, Sheriff Bauman has promised the offenders will be discharged and prosecuted.

W. E. McKay and M. T. Deford are alleged to have walked into a trap Wednesday night which had been set for two unidentified men who had been "bleeding a bootlegger to death taking money from her every week."

Arresting detectives reported they hid in the woman's home and witnessed the passing of a marked \$5 bill from the woman, Era Barksdale, to McKay while Deford waited in an automobile outside, and that they immediately took McKay, who had given the name of "Johnson," and Deford into custody.

Upon hearing the circumstances of the case Sheriff Bauman dispatched his chief deputy, John E. Murray, to police headquarters and he took the commissions and badges of the two men.

The technic the deputies are alleged to have employed is as old as the hills. They would visit the woman's home and there find liquor. Instead of arresting her, as it was their duty to do, they would then demand money and tell her that if she didn't meet the demand they would take her to jail.

The Barksdale woman has a police record. She has been arrested several times. But lack of sympathy for her is no argument for condoning the illegal policy which the deputies are alleged to have followed.

Two officers of the law, whose duty it is to arrest bootleggers whenever they find evidence against them, are charged with collecting "hush money" instead.

The evidence against the men is impressive. The willingness of the woman to lay herself liable to arrest in order to stop the extortion, the marked money, which is reported to have passed between her and the deputies and the testimony of the detectives who were present combine to make a condemning array

Crime Maps Reveal Nearly All Murders Occur in Negro Area

Ninety-eight per cent of Nashville murders since 1928 have been committed in negro residential sections of the city, it was revealed yesterday by Felix Beasley, city engineer, who is preparing a series of crime maps of Nashville as an aid to law enforcement authorities.

A "murder map" showing the location of each murder committed here from January, 1928, through March 9, 1935, reveals that nearly all of the first degree homicides have been concentrated in Rocktown, a South Nashville negro section; "Crappy Chute," a similar section in East Nashville; along Cedar street, Nashville's "Beale Street," and in "Cab Town," in North Nashville between Jefferson and Buchanan streets. At the location of each murder scene, a black dot has been placed on the map, and the sections named above are almost blackened out in some spots, so densely are they populated with the little dots.

Another map to show holdup localities is being prepared and also one to show the sections in which other crimes have been concentrated. Similar maps showing the concentrations of white and negro population were the first of the series to be drawn.

Mr. Beasley declared the maps are to be used in the assignment of radio patrol cars when the city's new police radio equipment is installed.

'Black Hooded' Gang Of Negro Bandits Caught

MEMPHIS, TENN., March 21.—(AP)—The "black hooded" gang of terrorist bandits, police said, was wiped out with arrests last night and today in west Tennessee.

After a 24-hour drive, officers walked into police headquarters this morning with four negroes in custody, and a fifth negro was picked up later in Tipton County.

Detective Inspector W. T. Griffin said that these arrests, together with two negroes previously arrested, completed the roundup of the bandits who terrorized merchants of north Mississippi, west Tennessee and east Arkansas for several months.

The bandits, Griffin asserted, roamed the highways during what length black on me. When the tall Negro returned, he walked up to me with a lead pipe and struck me over the head, knocking me out. I knew nothing until you arrived."

The negroes in custody gave their names as Steve Harville, 22, the alleged leader of the gang; Montel (Daddy Chain) Mamley, 21, James Roy Beard, 28, and Charles Amos, 28. Harville's home is in Memphis. He was picked up in a cottonfield near Brighton, Tenn. The other three were arrested near their homes.

The fifth negro taken into custody later in the day was described by Griffin as Edgar Taylor. He was picked up in Tipton County and brought here for questioning.

Two other negroes are in custody. One was captured early Monday following a gun battle at West Memphis, Ark., with officers. The other, picked up at Caruthersville, Mo., was returned here. Griffin said the gang may be linked with as many as 50 filling station, grocery and house robberies.

Griffin said Harville told him of participating in the robbery of a depot and box factory at Ripley. Griffin also quoted the negro as saying the gang was involved in the holdup of Macklin Halliburton in Ripley about five months ago.

White Man's Attack Story Is Doubted

MEMPHIS, Tenn., Aug. 29.—(ANP)—Police here are investigating the story of how he was attacked by two Negro bandits, told by Stanley A. Puryear, a white man who was convicted in 1932 for the murder of his wife and a Negro man and released on a bond of \$17,500 when he appealed the sentence of 15 years in prison.

The story of the attack was told to the police here Tuesday night when they answered a call put in by a woman urging them to come to 1024 Mississippi avenue, because "a man had been killed." When the officers arrived on the scene, they found that the address was that of Puryear's garage and an investigation revealed him lying prostrate on the floor with blood flowing from an abrasion of the scalp. Upon being revived he told the following story:

"I was in the front part of my garage, when a tall Negro walked in and told me to 'stick 'em up.' I did as he ordered and then told him where the keys to the safe were hanging. In the meantime, a short Negro had joined him and day while federal officers awaited the return of a fourth this morning

to arrest him as the result of an investigation by the district attorney's office into bonds given by them in mail fraud charges.

The bonds of \$10,000 each given by Dr. J. W. Beckett, Dr. D. J. Thomas, Dr. D. B. Harrell and Dr. A. Ross, were shown to be secured by property which the appraiser appointed by the court either could not locate or for which the appraisal valued as much as \$7,000 less than the bondsmen.

Dr. Beckett was taken into custody Thursday and he was joined yesterday by Dr. Thomas and Dr. Harrell. Dr. Ross has been in New Orleans, but is expected back today.

The four physicians, a negro undertaker, two insurance agents and three other negroes are under indictment in connection with a death benefit collection racket through which they are credited with fleecing insurance companies out of nearly \$30,000 by means of faked death certificates on living policy holders.

NASHVILLE, TENN. MORNING TENNESSEAN

NEGRO BOSS AGAIN HELD AS OFFICERS ARREST 40 IN RAID

City, County and State Combine in Dash On Rains' Place.

City, county and state officers last night descended on the Porters' and Waiters' club at 428 Cedar street, for the second time in less than a week, and arrested Jim Rains, proprietor of the amusement place, along with 40 other negroes.

The 40 patrons of the place were charged in state warrants of gaming, while Proprietor Rains was booked on charges of owning and operating a gambling house and with violation of the state bone dry law.

The arrest last night of Rains, reputed negro political boss in the Eighth ward, follows his arrest last Tuesday and his acquittal in city court on Wednesday on charges of violating the bone-dry law, the state tobacco tax law and operating a poolroom without a license.

Rains was defended after the first raid by Assistant City Attorney Jack Keefe when he appeared before Judge Guild Smith in city court.

Only a few days prior to his

TWO NEGRO DOCTORS JOIN THIRD IN JAIL

Federal Officers Await Return of Fourth This Morning

Two negro physicians joined a third in Shelby County jail yesterday while federal officers awaited the return of a fourth this morning

lie Purnell, and Clarence Dukes. Monday and Wednesday when Dr. by falsely declaring people dead. One after another they were paraded with In this number are several Negroes ed "in the flesh" before the jury. Dr. B. W. Harrell on two other in-cluding M. S. Stuart and S. W. Late Saturday following the fil-dictments charging mail fraud and Qualls, prominent business man of ing of the motion by Lawyer Settleconspiracy in connection with a the race here. the court ordered that a new panel scheme to collect insurance money.

November 15, 1935

Overrules Motion for Negro
Memphis, Tenn., Nov. 15.—(AP)—

(Federal) District Judge John D. Martin Thursday overruled a motion to declare a Federal Court jury illegal because it did not give Negroes a fair representation. The motion was made by J. T. Settle.

Negro attorney for J. W. Beckett, Negro physician on trial for mail fraud in an alleged scheme whereby Negroes were falsely certified as dead and benefits collected from

from an insurance company.

Decear at Fraud Phis Physician

to the U. S. Census Bureau, 1930 listed Shelby county a percentage of 55.2 Negro, Fayette 71.2, Dyer 16.7, Lauderdale 39.1 and Tipton 41.8, and stated it was next to "humanly impossible" to draw a venire from those counties which comprise this federal judicial district with only the names of approximately six Negroes placed in the jury box.

judge John D. Martin studiously overruled the Settle motion, and carefully supervised the procedure of the court from that point on as defense counsel intimated that he was laying the ground wires for an appeal in event of conviction.

Launch Into Case.

The jury selected, the prosecution opened its case. Among those giving damaging testimony against Dr. Grifflin was Inspector Griffin, who

The highlight of the trial was the testimony of the accused Dr. Beckett.

...dapper practitioner, crestfallen, tried to lose his usual poise and in effort to impress the jury for leniency or exoneration reeled into "Uncle Tom realm," Beckett said.

answered to one question propounded him that he signed the bogus ion with claims because they were caught to him by the white man that "he always did what the

"Verdict for U. S."

essions were held Thursday morning, afternoon, and night and again city day before final arguments were

November 15, 1935
Overrules Motion for Negro
Memphis, Tenn., Nov. 15 (AP)—
Federal District Judge John D. Mar-
tine Thursday overruled a motion to
declare a Federal Court Jury il-
legal because it did not give Ne-
groes a fair representation. The
motion was made by J. T. Settle,

presented to the jury Judge Martin
who at the beginning of the trial had
made it known that this court is for
justice, fairness and hews to the law
C. Yarbrough and A. C. Jones, white,
giving damaging testimony against
without regard to race, color or former
agents of the Metropolitan Dr. Beckett
was Inspector Griffin
jury, but was forced to return them
to privacy after they had come into
court and read a verdict in favor of
matron.
the United States.—23-35

morning after pleas of "guilty" to night sessions also, the prosecu-
tion opened its case. Among those
Griffin

Griffin had given a signed confes-

On its next report the jury held the defendant guilty on all four indictments and all counts on trial. Beckett, however, was on trial on who is the first defendants to be put in the cases. ~~He had been~~ ~~with~~ ~~received~~ four letters with a mail band and a conspiracy charge on each one. The highlight of the trial was the fraud laws and involvement of the testimony of the

Another Bombshell.

As soon as Judge Martin had dis- charged the jury Attorney Settle "fake means" over a period of five poise and in his effort to impress the jury for clemency or acquittal.

Says Jury Illegal

Bombshell number one came in the trial when attorney for the defense, T. J. Connelley, moved for a mistrial on the grounds that the jury was not properly sworn. Connelley said the jury was not sworn in the presence of the judge, and that the jury was not sworn in the presence of the court. Connelley said the jury was not sworn in the presence of the court, and that the jury was not sworn in the presence of the court.

Pharaphis Physician

ear at Fraud

whom insurance claims were collect-declaring the federal court jury il-
ad, were produced in court. They legal because it did not give the
were; O. D. Hicks, Clara Moore, Sadle Negro fair representation. He con-
Purnell, and Clarence Dukes. One
after another they were paraded "intended that the presence of only six
the flesh" before the jury.

of a few more Negroes' names in
"Verdict for the United States"

people dead.

of the motion by Lawyer Settle, the court ordered that a new panel of jurors be drawn for service Monday and Wednesday when Dr Bechford will again Friday before final arguments

possible" to draw a venire from those counties which comprise this federal judicial district with only the names of approximately six Negroes placed in the jury box.

Judge John D. Martin studiously overruled the Settle motion, and care-

be co-defendant with Dr. B. W. Harrel on two other indictments charging mail fraud and conspiracy in connection with a scheme to collect insurance money by falsely declaring people dead. In this number are several Negroes including M. S. Stuart time

were presented to the jury. Judge Martin, who at the beginning of the trial had made it known that "this court is for justice, fairness and laws to the law without regard to race, color or creed," delivered his

Motion Overruled

COLORADO DOCTOR FOUND GUILTY OF RUNNING RACKET

The jury selected, the prosecution opened its case. Among those giving damaging testimony against Dr. Beckett was Inspector Griffin, who was the government's chief witness as to whom the troubled physician had given a signed confession. Others testifying to the fraud were Thomas

Settle's motion gave statistics showing that population figures according to the U. S. Census Bureau, 1930, listed Shelby county percentage of 45.2 Negro, Fayette dicments and all counts on trial." 71.2, Dyer 16.7, Lauderdale 39.1 and Beckett however was on trial on 8 Tipton 41.8, and stated it was next indictments which involved four to "humanly impossible" to draw a deals with a mail fraud and a con- venire from those counties which spiracy charge on each one.

and Wednesday when will be co-defendant

Another Bombshell

The highlight of the trial was the testimony of the accused Dr. Beckett, a dapper practitioner, crestfallen, determined to lose his usual poise and in effort to impress the jury for mercy or exoneration receded into the background.

Failure of Court to Pick Colored Jurors May Force New Trial For Dr. J. W. Beckett

Approximately 50 Negroes placed in the jury box. Judge Martin had discharged the jury. Attorney Settle motion and to declare a mistrial. Dukes. Mon-Beck-

of the court from that

him that he signed the bogus for ANP)—The most sensational claims because they were case to be tried in federal court of right to him by the white man appeal in the conviction. that “he always did what the Western District in years in- defense counsel indicated that he was laying the ground wings for an appeal in the conviction. Young Info Case verdicts were rendered and Judge Martin set Monday as the date for hearing arguments as to the validity of the motion. and Clare they

"Verdict for U. S."

... jury selected, and by agree- whom insurance claims were col- Purnell after

to hold out. O. D. Hicks, Clara Moore, Sa-

Memphis, Tenn., Commercial Appeal
November 17, 1935

CASE OF NEGRO RESTS ON VERDICT DECISION

Judge Martin Will Hear Arguments Tomorrow

DEFENSE MOTION FILED

Names of Negroes Included in
48 Names To Be Presented
for New Venire in Insurance
Trial

The immediate destiny of Dr. J. W. Beckett, negro physician, whom a federal court jury intended to convict on eight indictments charging mail fraud and conspiracy, rests on whether Judge Martin allows a verdict to stand tomorrow morning or whether he rules it faultily worded.

Obviously intending to declare the doctor guilty on all counts, the jury Friday night returned this verdict: "We, the jury, find the defendant guilty on all four indictments and all counts on trial."

Asks Mistrial

Accepting the verdict, the court dismissed the jury, and with both government counsel absent from the courtroom, J. T. Settle, defense attorney, made a motion to arrest judgment and declare a mistrial.

Late yesterday afternoon, following the filing of the defense motion, the court ordered that a new panel of 48 jurors be drawn for service Monday and Wednesday, when Beckett will be a co-defendant with Dr. B. W. Harrel, negro, on two other indictments charging mail fraud and conspiracy in connection with a scheme to collect insurance money by falsely declaring insured negroes dead.

Monday morning Settle, a negro, will present a written motion for arrest of motion and mistrial. If this is overruled, he will present a motion for a new trial on the first eight indictments, charging that:

1. The whole jury panel is invalid on the grounds that it doesn't give the negro fair representation.
2. The defense objects to consolidation of the eight indictments, desiring a separate trial on each charge.
3. The defense was due 10 pre-emptory challenges to the jury on

each of the eight indictments. (The court ruled that only 10 challenges were due).

48 Names Drawn

These 48 names, including those of several negroes, were drawn from the venire box yesterday afternoon on motion of the district attorney.

Sam F. Kirk, Oce Rose, Robert Kinney, J. N. Seago, W. Gordon Morris, W. C. Thompson, J. D. Collier, Edward Phillips, Henry Waldran, S. L. Kopald, M. S. Stewart, Farley Hill, J. M. Garret, Joe H. Stewart, Hugh Wynne, Robert Bright, L. P. Jones, F. M. Grout, Ross Matthews, S. W. McConnell, W. R. Gift, J. G. Cain, J. F. Remier, J. C. Allen, John H. Durham, H. F. Wingleman, L. P. Brown, S. W. Porylock, R. M. Ellett, H. R. Merriwether, Charles Campbell, C. E. Faulk, F. M. White, J. P. Pinkston, S. W. Qualls (negro undertaker), R. D. Bobbitt, John L. Dean, M. Coyle Shea, Joseph Kusnick, C. L. Stewart, Porter Rice, W. C. Maire, R. D. Potts, J. W. Moses, R. B. Johnson, Charles Ogilvie, W. C. Wilson and C. P. Twilford.

Sitting on the jury during the two-day trial of Beckett were Cleve Read, Henry Moon, R. B. Kyle, P. A. Clayton, F. S. Souther and C. Donahoe, Robert Ruffin, George B. Henry, M. P. Featherstone, Burk King, W. F. Pierce and LeRoy Kerr.

If Judge Martin rules Monday that the verdict be clarified and allowed to stand as convicting Beckett on all eight counts, and then overrules Settle's motion for a new trial, the negro can be given a penitentiary sentence of 28 years. Each of the four mail fraud charges carry a maximum penalty of five years and the conspiracy charges of two years.

Thomas Curtis Yarbrough and A. C. Jones, formerly agents of the Metropolitan Insurance Company, and Amanda Smith, negro, have pleaded guilty to the same indictments lodged against Beckett. Their sentencing is being deferred until after Beckett's case is concluded.

Crime - 1935

Texas.

SAN ANTONIO, TEX.
EXPRESS

MAR 30 1935
The Homicide Record and
the Negro Criminal

To the Editor of San Antonio Express:
I have just finished reading the editorial in this morning's paper on "American Leadership—in Homicide". It has been my intention for several weeks to write you a letter in this connection.

While I have not seen Dr. Hoffman's figures, if they are similar to those in other studies made in this same field, they no doubt reveal that the high rate of homicide in our country is due, in the main, to the large number of murders committed in the South. True enough, as was pointed out, the cause for this is not to be found in any depravity accompanying what is often called "war psychology." The true explanation is found rather in the presence of the Negro in the South in large numbers. That, this is the case is not entirely the fault of the Negro.

To answer your question, without a doubt one of the most important causes for this condition may be ascribed to the general disregard for the law that is prevalent in the South—a disregard that grows from the fact that there is a large class in the South to whom the law scarcely applies. A Negro who murders another Negro is punished very slightly, if at all. That this is the case, is well known to the criminal element among Negroes. Is a Negro's life less precious to him than a white man's life is to him? It would seem so.

Self-respecting Negroes want criminal Negroes dealt with just as is any other criminal; the safety of the whole community is involved here. When a Negro kills another Negro, there is no reason why he should not be punished in the same manner as a white man is punished when he kills another white man. Death is but death no matter by whom inflicted.

The question, in other words, is not really a racial one. When one gets down to cases, it is merely this: Shall the law be enforced, or shall it not? Surely the law is more important than any group in the community. In disregarding crime among Negroes, the community not only neglects its duty, but it also makes the law a plaything.

This, of course, is, in the final analysis, the real calamity. So long as Southern society allows Negro criminals who confine their activities to other Negroes to go unpunished, the story told by Dr. Hoffman's figures will be a tale many times told.

DAVID H. BRADFORD,
Professor of History, Samuel Huston
College.
Austin.

WOMAN FILES
SUIT AGAINST
WHITE AGENT

DALLAS.—Lawyers of both races

joined hands this week when Attorney B. Ray Smith, one of the city's most prominent white lawyers, filed suit Tuesday in the interest of Miss Deborah V. Washington, 2225 North Washington street, against the National Life and Accident Insurance company. Miss Washington is asking \$10,000 as compensation for an alleged brutal attack upon her by M. O. Akers, white, agent of the company.

The alleged attack occurred at the home of Miss Washington, on August 2, following an argument concerning a delay in the payment of a sick claim which she had filed with the company. In the suit, the agent is accused of having beaten Miss Washington unmercifully.

MEXIA, TEX.
NEWS

Negro Burglar Faces 1,000
Years in "Fee" Cases

Will the fee system stop some of the tomfoolery in the courts of Texas? Let us hope so.

A Negro burglar, convicted in Corsicana, is sentenced to terms in the penitentiary which will require 100 years to serve, piling them on other sentences he has received to bring his total to 615 years. He has confessed to other burglaries, and probably will continue to be tried until all cases have been disposed of and 1000 years or more added for the poor Negro to serve.

It would be laughable were it not for the expense to the state that far exceeds the amount of loot which the burglar took from the scores of places he burglarized.

Officers get a fee for each case. Prosecuting attorneys, juries, clerks and others also get fees. Hence the racket. The new salary bill may eliminate some of this nonsense.

WACO, TEX.
TIMES HERALD

DEC 26 1935



Even as you are reading your afternoon newspaper (perhaps already adjourned) there is being held a special session of the city commission, called by Mayor Joe Hale, to hear a report from City Manager Torrence on the alleged kicking by police of a negro, John Harris, during arrest of a group of negroes in a poker or dice game. Harris alleges he was kicked so severely as to cause serious injury.

The Harris case comes as a climax to a series

of charges laid to the door of the police department alleging mistreatment of negroes and over the period which these charges cover two negroes have died as result of wounds caused when, during raids for misdemeanor offense, they were fired upon by police guns.

We have not seen Torrence's report. We have a pretty good idea what it will say, but we wish that as the city manager of a municipality of progressive people the report would read as follows:

"As city manager of Waco I want to make a report on some alleged brutalities to negroes of this city which have been laid to the door of my police department.

"At the outset, Mr. Commissioners, I would call your attention to the fact that there recently has been organized in Waco what is known as an Inter-Racial council. This council has to do with all angles of our civic life which tends to the improvement of relationships between all races. Black and white races and all groups of our citizenship of foreign extraction. When I first heard of its impending organization here I hailed it as a good thing. In what we deem to call an enlightened age and think there is nothing better than those efforts which promote the tranquility of inter-racial relationships. Indeed, Mr. Commissioners, an intelligent community of citizens such as Waco is known to have could do no less than to promote to the utmost the peaceful existence together of all its citizens be they of any race.

"I shall refer again to this Inter-Racial council movement before I conclude my remarks.

"We now come to the John Harris charges. And these charges naturally open up a review of other instances wherein brutality toward negroes, two involving deaths from gunshot wounds, has been charged to my police department.

"You commissioners are aware of the difficulty of getting to the bottom of facts when a disagreement between negroes and police, or any white group for that matter, is concerned. The negroes usually are scared to tell the true facts of the case in explicit fashion no matter how many affidavits you have them signed. The whites, on the other hand, are equally vehement that anything in the case at hand which is charged against them is not true or else was entirely the opposing party's fault. And although I charge nobody with concealing facts in this investigation, I do repeat that it has been a hard matter to sift down to exactly what happened. Add to this the fright of the negroes when the police raided them. It was night time. Add to this the general melee which

always results and you will have some idea of the difficulty I have encountered in ascertaining exactly what happened. "Before I close I want again, as city manager of this city, to commend this Inter-Racial movement. And I assure you that henceforth it will be one of the chief purposes of my direction of this

"I have the utmost faith in the uniformed officers of this city to see that the official forces of Waco which are under my direction cooperate in this movement." At the same time I have the word of a number of white men of this city in high places as to the truth and veracity which surrounds the reputation of this negro, John Harris

"So, Mr. Commissioners, there you are.

"I'm not prepared to tell you of my own conviction exactly what happened.

"But I want to make this illustration to you. I caught it from another city official who usually has a pretty good slant on things and it seemed to me to fit the cases at hand. He said that when a man passed him on the street and said, 'Did you know John Brown was a thief?' I didn't pay any attention. But when another man a block further down met me and said, 'Say, John's Brown's a thief,' I began to think about John Brown a little bit and wonder if he was a thief. And by the time a half dozen further down the road had told me as I passed that John Brown was a thief I began to think there might be something to the general opinion that seemed to be prevailing.

"In making my report to you as city manager I feel just about that way on these charges of brutality. As the Indians say, 'Where there's so much smoke there must be some fire.'

"And so I come before you here today to make this report by defending nobody. I wish to make the frank admission to you that with two negroes dead from gunshot wounds and serious charges lodged about brutality to another I am inclined to the belief the police department should be assembled by me and the whole matter of inter-racial tranquility and peaceful living discussed in a straightforward manner.

"There isn't any question that the prominent people of this city are quite concerned about what has happened. What they want is an end to it. I believe I can bring about that end by this conference, perhaps repeated conferences until such a time as the situation is in no danger of being brought to a head again.

"As of now I'm not in a mind to even make a severe reprimand of anybody in the department. I think what we should do now is to impress upon them the unfortunate result of such occurrences if they are true and caution the department soundly on future attitude. I am, as I know you are, sick and tired of the situation and if these conferences, suggestions and cautions do not bring an end among prominent white people of the city to repeated allegations of brutality in my department then I think drastic action ought to be taken. I do not hesitate to tell you, however, that if, after looking over the evidence I have and such as it is that you think a reprimand or discharge should follow, I shall abide your instructions and act accordingly.

Crime-1935

Virginia

PETERSBURG, VA.
PROGRESS INDEX

MAR 8 1935

Cruelty And Complacency

TWO COLORED convicts in a North Carolina prison camp have been returned to the penitentiary at Raleigh crippled for life following operations resulting from "gangrenous condition of their feet brought on by the disciplinary measures in the camp." The two convicts say they were hung up in unheated quarters for hours for several days in succession and that during this time their feet froze. Apparently, proper medical attention was lacking and gangrene resulted.

Whether the story told by the convicts is true is not especially important in this case, for the reason that the physician at the camp states that the measures of discipline adopted were directly responsible for the gangrene and the putrefactions.

It is officially announced by J. B. Roach, head of the State penal division of the highway and public works commission, that he sees no reason to take action against the camp officials who had charge of the two men when the State of North Carolina crippled them for life. We agree with the *Raleigh News & Observer* that this attitude of Roach is more serious than the acts of subordinates who crippled the men. *The News & Observer* says:

Those two Negroes, crippled in the custody of North Carolina, are symptoms of a cruelty which cannot be regarded with complacency in an enlightened State. Surely there could be no greater hypocrisy than that which outlaws the lash and yet permits petty officials to indulge in more horrid cruelties. For the sake of decency as well as humanity, this hypocrisy that cripples must be ended in North Carolina.

The press of North Carolina should follow the lead of *The News & Observer* and demand that this incident be thoroughly investigated. It is a remarkable fact that the most careful supervision always is necessary as a corollary of entrusting prison authorities with power to inflict punishment as a means of enforcing discipline.

Richmond, Va., Times-Dispatch
April 17, 1935

Arresting Negroes Wholesale

JUDGE FREDERICK W. COLEMAN'S action in calling two Negroes for the Spotsylvania Grand Jury which yesterday indicted JOHN SHELL and JOE JACKSON for murder, was as conspicuously fair as the recent action of Richmond police in arresting 103 Negroes in a group, was unfair. It will be recalled that JUDGE COLEMAN fined a Hanover County farmer \$10 for contempt a year or two ago because he refused to sit on a Grand Jury with a Negro, so his action in giving the colored race representation on the Spotsylvania Grand Jury came as no surprise.

The raid conducted by Richmond police on a beer garden at Seventeenth and Grace Streets a few days ago was the sort of thing which we had hoped never to see again in Richmond. It reminded us of the episode which occurred here some years since, when hundreds of Negroes were arrested at the city dock on disorderly conduct charges, as they walked off of an excursion boat.

In both instances, somebody reaped a rich reward in bail fees. Every Negro arrested had to put up \$1 or spend the night in jail. It doesn't require knowledge of the higher mathematics to ascertain that when several hundred Negroes are bailed at \$1 each it makes a pretty nifty swag for the magistrate. And when 103 Negroes were arrested the other day, that wasn't a bad haul, either. Of course, a good many spent the night in jail, rather than pay the fee, but that does not make the performance of the police any more excusable.

On the contrary, it was inexcusable, no matter from what angle it is viewed. The reason is that the police would never have arrested all 103 of the white customers in a beer garden on a charge of disorderly conduct. They took advantage of the fact that the customers of this particular establishment were Negroes. DIRECTOR OF PUBLIC SAFETY CATCHINS is not responsible for this episode. He was out of the city at the time. But we trust he will see that there is no repetition of this performance in the future.

QUESTION OF OFFICER'S RIGHT TO USE GUN
EXPECTED TO BE RAISED IN POLICE COURT

The much-discussed question of the circumstances under which a police officer has the right to use his gun was expected to be raised again in Police Court on Thursday of this week.

Patrolman D. W. Midgette was scheduled to answer a technical charge of homicide growing out of the death in a local hospital Friday night of Ernest Kornegay, 30, of Falkland St., who was fatally shot by the officer Thursday night allegedly while running away from the scene of a warehouse robbery. At the same time Joe Williams of the 900 block of Wide St., was to face charges of window-breaking, resisting arrest, and assaulting an officer, growing out of an incident early Sunday morning of last week in the 1000 block of Calvert St., in which Williams was seriously wounded, according to Patrolman J. B. Murden, when he sought to disarm the officer.

Williams, according to the officer's statement, had broken into a D. P. Store at 945 Church St. and had attempted to get away when he caught sight of him and gave chase. He was overhauled in the 1000 block of Calvert St., and at the same time he grabbed him, Officer Murden said, Williams tried to snatch his gun from its holster. In the struggle for possession of the weapon it was fired twice, the first bullet whistling off into space, and the second finding a mark in Williams' stomach.

No charges have been filed against Officer Murden. In the case of Kornegay, the technical charge of homicide against Officer Midgette was continued by Police Justice R. B. Spindle, Jr., when called Saturday.

Kornegay, according to the officer, was shot by him while running away from the warehouse of the Southern Packing Corporation on Newcastle St., after allegedly stealing a bag of meat from the premises. The bag was said to have been found not far from the spot near the foot of Bermuda St., where Kornegay finally collapsed and died after running several blocks from the warehouse.

Officer Midgette was held to have killed Kornegay "in line of duty," in a verdict returned by Dr. C. D. J. Macdonald, city coroner,

following an inquest into the death Tuesday afternoon. The verdict was rendered after six witnesses, including the accused officer himself, had testified.

Officer Midgette was told by the coroner that he did not have to testify unless he so desired, in as much as anything he might say could be used against him. He chose to take the stand and was complimented by Assistant Commonwealth's Attorney James E. Heath, for doing so.

He told the coroner that he fired once in the air in trying to stop Kornegay, but the shot only served to make the fleeing man drop a bag of smoked meat he was carrying. He did not know his second shot had taken effect, the policeman testified, until he came upon Officer Fisher standing by Kornegay who was lying in the street badly wounded, some distance from where the shot was fired.

Patrolman Midgette estimated his distance from Kornegay when he fired the second shot at about 35 yards. Asked by the coroner if there was no other way to stop the fugitive other than by shooting him, he replied that there was not because he was "getting away from me faster all the time."

A. Gottlieb, white employee of the Southern Packing Company, who was the first to identify Kornegay after the breaking, testified that he told Officer Midgette that he recognized Kornegay twice and was positive in his identification.

Other witnesses, in addition to Officer Fisher, were Patrolman P. E. Sawyer, James Foskey and his wife, Mrs. Foskey. Dr. Macdonald held that Ernest Kornegay "died at St. Vincent's Hospital on April 26 at 11:07 p. m. of shock following a hemorrhage of the abdomen as the result of a pistol shot wound; the shot was fired by Officer D. W. Midgette in line of duty."

Funeral services for Kornegay were held Tuesday afternoon at Hale's Chapel with the Rev. R. K. D. Garrett, pastor of Garrett's Community Church, officiating.

The youth was a native of Richmond but had lived in Norfolk for the past four years. He is survived by his mother, Mrs. Nellie A. Kornegay; father, William Kornegay, one brother, and three sisters. Interment was in Calvary cemetery.

OUR POLICE JUSTICE

When Eben C. Fowlkes was elected Police Justice of Richmond, the RICHMOND PLANET ventured the following editorial opinion on the qualifications of the new police justice:-

"The election of John H. Ingram to the office of police justice of Richmond marked a new era in the history of the court which is for the most part the tribunal of forgotten men and women.

"The comedy, epithets, and cruel bantering indulged in at the expense of the poor social path wanderer, who stood at the bar of the court, passed out with the old era and a quiet dignity was installed in its stead.

"When Justice Ingram was elevated to the bench of the Hustings Court and Justice Haddon succeeded him in the police court, the Ingram decorum was observed. Under these two administrations, comedy and bantering crept in, only when the regular justice was not sitting.

"The selection of Eben C. Fowlkes to sit in the seat occupied with dignity and honor by Ingram and Haddon insures a continuation of this orderly procedure.

"With Justice Fowlkes on the bench of the police court, the same high standard will be maintained in the administration of justice as that which obtained under the two former justices. Like unto his predecessors, his ruling might at times be off, but the error will be of the head and not of the heart."

We should dislike to have to announce a change of opinion regarding Justice Fowlkes, but recent events, his apparent impatience and bias in trying traffic cases and his condoning of the frequent use of the term "Nigger" by police officers and others in his presence without rebuke to the offending person create a serious doubt whether or not the editorial printed above did not express a premature conclusion.

Richmond, Va. News-Leader
December 30, 1935

Negro Homicide Curb Suggested

Editorial Wants Special Police Aides to Combat Crime Wave.

Appointment of Negro plain clothes men and a Negro investigator attached to the office of the commonwealth's attorney is suggested editorially by The Richmond Planet, local weekly Negro newspaper, as a means of assisting materially in the solution of the problem caused by the "sensational rise" in the homicide record among Negroes here.

The editorial, published in the Dec. 28 issue, also advocates sterner punishment for those who are found guilty of homicide and felonious woundings.

The editorial follows:

"November witnessed a sensational rise in the homicide record among Negroes. Five murder cases were tried in the hustings court of this city during last week. All of the principals were Negroes. Two of the defendants were acquitted, one received fifteen years in the penitentiary, another five years in the penitentiary and another twelve months in the city jail. In addition to these cases, several involving felonious woundings were disposed of.

"It is difficult to accurately fix the responsibility for this disregard of human life and for this heedless slaughter which is a disgrace to the city. Some maintain that the punishment meted out to killers of Negroes is too light to serve as a crime deterrent. In our opinion, there is much merit in this contention.

"On the other hand the promiscuous sale of liquor and the growing habit of carrying concealed weapons undoubtedly contributed to this disgraceful situation which law enforcement officials seem unable to cope with.

"Without claiming to have discovered a remedy, the Richmond Planet believes that Negro plain clothes men and a Negro investigator attached to the office of the commonwealth attorney would assist materially in effecting a solution to the problem.

"Negro civic agencies should cooperate with law officers in giving the necessary evidence to send some of these killers to the electric

chair and make it impossible for them to escape with ridiculously light sentences for such grave offenses.

"The carrying of concealed weapons, without a permit, should be made a felony punishable by a long term in the penitentiary and the police should lose no time in cleaning up the breeding places of crime and criminals.

"With the general cooperation and the assistance of law-abiding citizens and the assurance of swift and stern punishment, these man killers will stop prowling around with deadly weapons and boasting that 'a little stretch' is all to be expected for killing a Negro."

A DISGRACE

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Destructive Lawlessness

IF THE lawless element continues to run amuck as it has recently, Norfolk will soon be known as a city whose streets are unsafe for innocent pedestrians or exposed property. Purse-snatching hold-ups, assaults, pilfering, malicious destruction of property and a dozen other associated offenses have been committed recently in our streets with reckless abandon. The condition should be a challenge to an aroused citizenry and the city officials chosen by it.

A motorist who leaves his automobile parked on a street for just a few minutes has no chance of returning to find his door handles wrenched or broken off by some malicious person, or his windows broken or radiator cap stolen. If he walks down the street at night he is likely to be robbed of anything he has on him from thirty cents up. But more important than this, his life is imperiled if he tries to prevent it.

The two major contributing causes are inadequate street lighting and relaxed police protection.

As to the latter, no reflection whatsoever upon the police department is intended. The police are doing their best to cope with the situation, but their force is inadequate.

Economy effected by curtailment of law enforcement agencies below the necessary minimum required to protect the persons and property of a community is the most costly economy. Providing convenient hiding places for robbers awaiting their prey by trimming the city's electric bill is in itself an aggravated wrong.

We believe that we voice the sentiments of most taxpayers when we say that economies of that kind are neither healthy nor desired in Norfolk. Right-thinking people—and most of our taxpayers are—will gladly pay for the cost of crime control.

Richmond, Va., Times-Dispatch

November 25, 1935

On Negro Banditry

To the Editor of The Times-Dispatch

Sir,—By reason of the long list of homicides and other major atrocities crime has almost become the center of public interest in Richmond today.

Richmond should be thankful to its Commonwealth's Attorney, Judge T. Gray Haddon, for the emphasis he has placed on the prosecution and punishment of gangsters, bandits and murderers.

While he is stressing the large number of homicides, especially among Negroes, and pleading with juries for severe penalties to deter killings of each other by Negroes who hold human life cheap, leading Negro ministers instead of indorsing his efforts and holding up his hands, are holding anniversaries glorifying each other, exaggerating their abilities, activities

and importance. Thus exemplifying the grim tragedy of "Rome burning and Nero fiddling." But that is not all. The seriousness of this situation is aggravated by the fact that homes, arms and lovers' lanes are dotted with dead, too often slain at the hands of Negro bandits. Included in this series are some of the foulest crimes in the history of Virginia.

Such are the cold facts, yet no Negro church or civic organization; no Negro school of race relations offers any protest or suggestion as to how to terminate or even curb these increasing crimes. Are Negro leaders incapable of constructive thinking? Has no Negro leader the intelligence to speak? Shall the Negro race be dominated by its more criminal and less civilized elements?

Furthermore, it is not only the obligation of leadership to think consistently; not only to speak intelligently, but to do something. Could leadership be confronted with a more important problem than life and death? That white bandits commit cold-blooded and atrocious crimes on a larger scale than were ever committed by Negro bandits is true. But white people apprehend and prosecute them to the death. On the other hand, misguided colored people frequently lionize, make heroes and martyrs of Negro murderers. For example, it will be recalled that recently a Negro mass meeting was held in Richmond, speeches were made, and money solicited to defend self-confessed Negro killers.

No man can give a sound reason for aiding criminals to escape unwhipped of justice, especially, when they have trampled upon the sacred rights of human life. Laws provide penalties for the punishment of crime, could not Negro leadership, if it had the brains to provide for the prevention of crime in its own group?

THEODORE W. JONES,
Richmond.

Times-Dispatch
1935

Jordan Denies Crime Charges Of Negro Paper

City Able to Cope With
Crime, Is Answer
to Editorial

A denial that the Department of

Public Safety is unable to cope with crime in Richmond's Negro district, as stated editorially in the Planet, local Negro newspaper, was made yesterday by Police Chief Jordan, who pointed to the November record to substantiate his statement.

"Police made arrests in five out of six murder cases last month," Major Jordan said. "They presented evidence in Hustings Court, so the rest was up to the juries."

Silent on Negro Detectives

Neither Chief Jordan nor Safety Director Cutchins would comment for publication on the Planet's suggestion that Negro plainclothesmen and a Negro investigator attached to the office of the Commonwealth's Attorney would assist materially in curbing what that paper termed the "sensational rise" in homicides.

The editorial, published December 28, stated in part:

"November witnessed a sensational rise in the homicide record among Negroes. Five murder cases were tried in Hustings Court of this city during last week . . .

Punishment Held too Light

"It is difficult to accurately fix the responsibility for this disregard of human life and for this heedless slaughter which is a disgrace to the city. Some maintain that the punishment meted out to killers of Negroes is too light to serve as a crime deterrent. In our opinion, there is much merit in this contention.

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Negroes Of Milwaukee Hold Mass Meeting To Protest Brutality Of Members Of City Police Dept

MILWAUKTE, Wis.—Aroused by a series of injustices and brutalities said to have been perpetrated recently by members of the city police force, almost the entire colored population of Milwaukee turned out at a mass meeting at the St. Marks A. M. E. Church, Rev. R. E. Wilson, pastor, last Tuesday to register a vociferous protest and demand that such practices be stopped. Citizens from all walks of life were in the huge crowd that thronged the spacious edifice to hear a number of the prominent speakers who addressed the gathering.

A resolution demanding the dismissal of one particular officer because of his brutal actions was unanimously adopted and a committee of nine was appointed to file petitions of protests and prepare complaints against instances of police brutality. Copies of the record of the evening's proceedings were sent to the local Chief of Police, the Fire and Police Commissioners and the Mayor's office.

Among those who spoke at the meeting were Dr. C. F. Turner, Dr. P. J. Gilmer, Dr. E. Thomas, and Atty. J. W. Dorsey. H. B. Kinner, president of the Sixth Ward Law and Order League, officiated at the meeting. A number of instances of unwarranted brutality were cited by those who had witnessed them.

Disturbance Narrowly Averted

A possibly violent outburst threatened the meeting momentarily when Robert Johnson, victim of one of the most brutal assaults, during his recounting of the incident, suddenly looked toward the back of the church and cried:

"I see that same officer that struck me." The audience immediately rose to their feet in an effort to get a view of the accused man and it was feared that in the resulting few moments confusion, the temper of the crowd might provoke a disturbance. Order was immediately restored, however, and the meeting was continued with-

booth he found that a crowd of citizens had surrounded the man and forced him to display his badge, pistol and other credentials.

A local minister recounted looking out of his window and seeing an officer call a colored man walking on the opposite side of the street. When the latter approached, said the minister, the officer immediately demanded to know what he did for a living. Numerous other similar instances were cited.

Whites Support Campaign

A number of white persons were also present at the meeting, including several city officials. Among them was George Herman, County Supervisor, who emphatically denounced the brutal practices and injustices which he declared were forced upon the colored people. Hermann has long been considered one of the outstanding champions of Negroes in this city along with a Mr. Soref who was also present and expressed his willingness to accompany the representative group which was delegated to appear before the Fire and Police Commissioners.

The protest, it was definitely made clear at the meeting, is not against the police Department of the city which has long been reputed to be one of the most efficient in the country, but only against certain members of the force, described as a roughneck element which has recently succeeded in gaining admission to the department.

More Instances Cited

Another incident was related by Dr. Edgar Thomas who declared that on the same evening he was standing in front of the Community Drug Store at about 11 o'clock when he saw across the street a white man going through the pockets of a colored man. The white man, said Dr. Thomas, had his hat off and appeared to be drunk and when the doctor approached him and demanded to know by what right he was conducting his search replied that it was none of the doctor's business.

Upon the man's refusal to show his authority, Dr. Thomas said he entered the drug store and telephoned the West Side police station reporting that a strange white man was walking the streets and promiscuously searching colored people. Dr. Thomas said that he expressed the belief to the police sergeant that the man was drunk but when he emerged from the

Committee Appointed

Daily papers of the city, in their reports of the mass meeting, treated it as an attempt on the part of the Negroes to defend the policy racket and uphold crimes against the zeal and efforts of the local police but this stand has been since denounced by many prominent individuals who describe the state of affairs as "intolerable" and insist that something must be done to remedy it.

Dr. Edgar Thomas was appointed chairman of the committee of nine designed to make representations to the authorities. Others elected to the group were Rev. R. E. Wilson, Dr. C. F. Turney, Dr. P. J. Gilmer, A. D. Wilburn, Rev. W. Scurry, E. Bland, Mrs. M. West and Attorney Coleman.